

CAMBRIDGE LICENSE COMMISSION HEARING

CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION GENERAL HEARING

LICENSE COMMISSION BOARD MEMBERS:

CHAIR ANDREA JACKSON

SUPERINTENDENT STEVE WILLIAMS, POLICE DEPT.

CAPTAIN TOM CAHILL, FIRE DEPT.

STAFF: EXECUTIVE DIRECTOR ELIZABETH LINT

AT: Michael J. Lombardi Building
Basement Conference Room
831 Massachusetts Avenue
Cambridge, Massachusetts 02139

DATE: August 19, 2014

TIME: 6:06 p.m.

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P R O C E E D I N G S

August 19, 2014

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EXECUTIVE DIRECTOR ELIZABETH LINT: We would like to get started. If anyone has a cell phone on, we appreciate it if you turned it off.

CAPTAIN TOM CAHILL: I know it is crowded in here. The fire code requires that door must remain open at all times, so don't block the door and it must remain open. Thank you.

EXECUTIVE DIRECTOR ELIZABETH LINT: The License Commission General Hearing Tuesday August 19, 2014 at 6:06 p.m. We are in the Michael J. Lombardi Building, 831 Mass Ave, Basement Conference Room.

Before you are the Commissioners, Chair Andrea Jackson, Captain Tom Cahill and Superintendent Steve Williams.

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APPLICATION: 29 CHARLES STREET

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: 29 Charles Street, LLC has applied for an open air package lot license at 29 Charles Street for 65 vehicles.

CHAIR ANDREA JACKSON: Good evening.

ATTY. JAMES RAFFERTY: Good evening,
Madam Chair and Members of the Commission.

For the record, my name is James Rafferty, R-A-F-F-E-R-T-Y, an attorney representing the applicant.

DAVID NOTTER: David Notter, N-O-T-T-E-R.

ATTY. JAMES RAFFERTY: Mr. Notter is one of the principals of the LLC.

This is an application only in the sense that the license -- the ownership of the lot has changed hands. It has been a licensed parking lot for many, many years. There's no change in anything about the lot.

It's licensed for 75 cars and has been for many years. Mr. Nottis' company purchased the lot when they acquired a nearby building. So since the license runs with the owner of the building, we are here to request a transfer of that license.

The lot primarily services employees of the Life Science Building located across the street, and it has been in longstanding use in that location.

CHAIR ANDREA JACKSON: I know the company was before the Planning Board. I believe it might have been September of 2013, is that just as it related to the residential piece?

ATTY. JAMES RAFFERTY: Right. This lot is part of a larger PUD development that contains and includes a residential building at 159 First Street, a Life Science Building across the street from this one and this.

In fact, this lot is slated for future development. So I think its ongoing use as a surface parking lot probably is limited to the next year or two when it will probably become -- this lot has already been approved as part of a multi-year PUD special permit that would call for development on this lot.

SUPERINTENDENT STEVE WILLIAMS: No questions.

CHAIR ANDREA JACKSON: Any questions?

CAPTAIN TOM CAHILL: No questions.

CHAIR ANDREA JACKSON: Are there any members of the public that wish to be heard on this matter?

Seeing none, I make a motion that we approve the open air parking lot license at 29 Charles Street for 65 vehicles.

Is there a second?

CAPTAIN TOM CAHILL: Second.

CHAIR ANDREA JACKSON: All in favor
signify saying aye.

SUPERINTENDENT STEVE WILLIAMS: Aye.

CHAIR ANDREA JACKSON: You are all set.

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APPLICATION: ABODEZ ACORN

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Abodez Acorn CC, LLC, has applied
for a garage license with additional flammables
storage at 603 Concord Avenue for 77 parking
spaces, 770 gallons of gasoline in the tanks of
autos only. 10 gallons of class 1 and 112
gallons of class 2.

KIN LAU: Hi, my name is Kin, K-I-N, Lau,
L-A-U. I'm principal, owner of the company
Abodez.

THE REPORTER: Sir, speak up.

KIN LAU: Do you want me to start again?

CHAIR ANDREA JACKSON: Yes, please.

KIN LAU: My name is Kin Lau, K-I-N, Lau, L-A-U. I represent Abodez Development. We are developing a project, a mixed-use project, 61 units of parking above, two retail spaces below, on ground floor parking with below-grade parking for the residential and for retail.

EXECUTIVE DIRECTOR ELIZABETH LINT: Do you have the green cards?

KIN LAU: Yes.

CHAIR ANDREA JACKSON: Do you have the abutter notifications?

EXECUTIVE DIRECTOR ELIZABETH LINT: That's what he just gave me.

CHAIR ANDREA JACKSON: Again, just autos only?

KIN LAU: Correct. (Pause.) No, excuse me. I'm sorry. We do have an emergency generator.

CHAIR ANDREA JACKSON: Is it a 112-gallon

diesel emergency generator?

KIN LAU: Yes.

CHAIR ANDREA JACKSON: And that was installed in June of this year?

KIN LAU: Yes.

CHAIR ANDREA JACKSON: All the paperwork is in order?

EXECUTIVE DIRECTOR ELIZABETH LINT: It is.

CHAIR ANDREA JACKSON: Any questions?

SUPERINTENDENT STEVE WILLIAMS: None.

CAPTAIN TOM CAHILL: Where is the fuel tank located for the generator?

KIN LAU: It is below -- the generator in a belly tent below the generator.

CAPTAIN TOM CAHILL: So you don't -- where is the generator located?

KIN LAU: In the garage down below.

CAPTAIN TOM CAHILL: No other questions.

CHAIR ANDREA JACKSON: Are there any members of the public that wish to be heard in this matter?

Sure. Please come forward.

Good evening. If you could please state your name for the record spelling your first and last name. And please just speak up. It is hard to hear over the air.

ANN STEWART: Ann Stewart, A-N-N S-T-E-W-A-R-T. I'm a member the board of trustees at Reservoir Lofts Condominium Trust, 29-31 Wheeler Street, an abutter.

I have a general statement, which is just that, obviously, we are quite concerned about the amount of traffic on Wheeler and Concord, as I am sure you are, and we are also concerned about the security in that area.

And I wanted to know a little more about the lighting and what the definition of "autos"

is? Does that include motorcycles?

KIN LAU: If a tenant rents a space that wants to put a motorcycle there, yes. I mean we are not limiting it to only autos only. It is a rental space for the tenants' vehicles.

ANN STEWART: Does the garage also include access to the dumpsters?

Do you have dumpsters on the site in the garage?

KIN LAU: The dumpsters are in the garage, yes.

ANN STEWART: Do you know when you expect -- you know, is that daily?

KIN LAU: Right now we are planning biweekly.

ANN STEWART: Biweekly?

CHAIR ANDREA JACKSON: Does answer your questions, ma'am?

ANN STEWART: Yes, thank you.

CHAIR ANDREA JACKSON: Thank you.

Are there any other members of the public that wish to be heard on this matter?

Seeing none, I make a motion that we approve the garage license with additional flammable storage at 603 Concord Ave for 77 parking spaces, 770 gallons gasoline in the tanks of autos only, 10 gallons of class 1 and 112 gallons of class 2. Is there a second?

SUPERINTENDENT STEVE WILLIAMS: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

SUPERINTENDENT STEVE WILLIAMS: Aye.

CAPTAIN TOM CAHILL: Aye.

CHAIR ANDREA JACKSON: You are all set.

Thank you.

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APPLICATION: NORTH POINT CAFE D/B/A

LINGO

EXECUTIVE DIRECTOR ELIZABETH LINT: North Point Cafe, Inc., d/b/a Lingo, Jeffrey Barnhart, manager, holder of an alcoholic beverages restaurant license, entertainment license and common victualler license at 1 Education Street has applied for a change of location at 8 Education Street to an alteration of premise description.

CHAIR ANDREA JACKSON: I want to make a general announcement this meeting is being audio taped.

SHAWNA SULLIVAN: Good evening, Madam Chairman and Members of the Commission. My name is Shawna Sullivan, S-H-A-N-W-A S-U-L-L-I-V-A-N, and I'm the Director of Public Affairs at EF Education First and I'm here with Christina Braga, who is our Manager of Restaurant

Associates and the onsite manager of the North Point Cafe and Lingo Restaurant.

Just as a matter of context and orientation, before we discuss the change of location of our liquor license from 1 Education Street to 8 Education Street, as well as the proposed addition of a new educational license for beer and wine at 1 Education Street, you see a map here of two EF buildings over at North Point in Cambridge. We broke ground at 1 Education Street in 1997 with about 200 staff. We are a global education company and we are fortunate to grow very quickly over the next ten years or so. We filled up that building and broke ground on our second building in fall of 2012.

It is further on the Charles River than any of the development in that area before. We completed -- are nearing completion of 8

Education Street as we speak. In late May we received a temporary certificate of occupancy and moved 800 staff from 1 Education Street to 8 Education Street.

And we are completing our landscaping and final construction elements in the new building over the next two months. Since we were first over in North Point, we've had a restaurant and bar called Lingo, which has been located at 1 Education Street, and the restaurant is mostly used by students, staff and close members of the public.

It hasn't been as easy as it is now to get over there, but we are delighted that with the addition of new multi-use paths and sidewalks and public transportation that more and more people are discovering the gem, which we think is North Point Park, and with the addition of our North American headquarters at 8 Education

Street, we are moving the Lingo Restaurant and bar over to the new building.

And what I have included in your packet are some renderings of what the new restaurant will look like.

It will be a significant improvement, beautiful glass walls and ceiling. It will feature an iconic architectural element of this staircase that will go from the first floor of the restaurant up to the second floor of that space.

You will see that the restaurant overlooks parts of the Charles River which has never been accessible to the public before and it's through our permitting and with the City of Cambridge and the State that this has been a unique and positive feature of the new Lingo Restaurant that we are activating the park and closeness to the river offering people in the

community the opportunity to sit and enjoy a meal or a drink on the river front.

The proposed plan is to move the full liquor license that we currently have at 1 Education Street to 8 Education Street and operate as we have a public restaurant, many of the restaurant customers being EF staff, and then at 1 Education Street, we will be making that space a student-only lounge.

And we will be coming back before the Commission to request an educational institutional license for beer and wine only through Hult International Business School which is our global MBA degree.

So with that, we're happy to answer any of your questions.

CHAIR ANDREA JACKSON: Looking at the rendering on the second page, it is entitled New Lingo at 8 Education Street, and I'm assuming

that's the stairwell that I'm seeing behind the bar.

SHAWNA SULLIVAN: Yes, that's a stairwell behind the bar.

What you also fail to see that's here is also a publicly-accessible elevator that brings guests of the restaurant to the second floor and is easily accessible and is only for the restaurant-goers. It's not part of our main elevator apparatus of the building.

CHAIR ANDREA JACKSON: That was going to be my question. Is the second floor accessible?

SHAWNA SULLIVAN: Yes.

CHAIR ANDREA JACKSON: Has the staff at Lingo gone through 21 Proof training?

CHRISTINA BRAGA: 21 Proof?

CHAIR ANDREA JACKSON: Yes.

CHRISTINA BRAGA They gone through TIPS certification.

CHAIR ANDREA JACKSON: So they also need to go through 21 Proof training and I didn't bring the flyers down with me.

EXECUTIVE DIRECTOR ELIZABETH LINT: I did.

CHAIR ANDREA JACKSON: It's kind've, for lack of a better word, the Cambridge version of TIPS certified. And that's our next training.

EXECUTIVE DIRECTOR ELIZABETH LINT: I think originally when Lingo first went in, they -- oh, I can't remember the name of the manager.

CHRISTINA BRAGA: Colleen.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes. They had gone through 21 Proof. That was a long time ago.

CHAIR ANDREA JACKSON: So that would be helpful.

CHRISTINA BRAGA: This is in addition to

TIPS training or does this cover TIPS training?

CHAIR ANDREA JACKSON: I guess you would say in addition to because Cambridge requires 21 Proof training for the time being.

CAPTAIN TOM CAHILL: Where do the stairs go to?

SHAWNA SULLIVAN: So the stairs go to our second floor, which is going to be open event space that's open to the public and part of the Lingo entire area.

We don't have a -- as we submitted with the application materials, we included a floor plan for the second floor, but because it will be open event space where members of the public can reserve it, EF can hold special events. We don't have a furniture plan that's final for it right now.

CAPTAIN TOM CAHILL: When you get to the top of the stairs, is there a door or is it wide

open?

SHAWNA SULLIVAN: It is open just to the event space.

So when you get to the top of the stairs you can go right there to the event space, but we can close off the stairs, as far as I know, to keep people from going upstairs if we don't want the upstairs open.

CHRISTINA BRAGA: There's no door.

SHAWNA SULLIVAN: There's no door, yeah, but we can close it off.

CAPTAIN TOM CAHILL: Is this in the atrium?

SHAWNA SULLIVAN: The atrium is the lobby.

So if you are looking at the new building and the glass area below, that's what we call the atrium.

And that includes the lobby and the

public conference room on your left, and then on your right is the new Lingo space and it sort've wraps around the building.

CAPTAIN TOM CAHILL: Behind the loading dock area?

SHAWNA SULLIVAN: It's on the other side of the loading dock of the building.

CAPTAIN TOM CAHILL: So this wasn't in the original plans submitted to the Fire Department, they weren't sure what they were gonna have for a restaurant in there, and I'm curious, the original plans didn't spec for the stairs, and especially an open second floor where the first and second floor communicates, so I'm wondering has been done in terms of fire protection and has that been approved by the Fire Prevention Office.

ATTY EMMA YAHSAR: I'm Emma Yashar,
E-M-M-A Y-A-S-H-A-R. I'm an attorney for EF.

Are the plans, Shawna, at a level where they being submitted for building permit approval?

SHAWNA SULLIVAN: Yes. We have building permit approval, and we have a TCO for the restaurant space that's been approved by the various departments.

CAPTAIN TOM CAHILL: TCO for the restaurant space or for the building itself?

SHAWNA SULLIVAN: For the building itself.

CAPTAIN TOM CAHILL: I don't think that applied for the restaurant because we hadn't seen the plans for the restaurant at that time.

SHAWNA SULLIVAN: Okay.

ATTY EMMA YASHAR: So are you now -- I think we might have to check on this because we don't have anyone here that's managing the build-out process.

My understanding is that we have pulled a building permit, but if you are saying you haven't seen it --

CAPTAIN TOM CAHILL: I'm not saying you haven't.

What I'm saying is, I know that this restaurant was in addition to the original set of plans that was submitted years ago.

I know that a TCO was issued for the building itself with some conditions on the atrium being finished before the general public could occupy the building. I know we let staff in, but this restaurant is something I didn't know anything about, and I know that there were issues at the initial plan review that had to do with smoke detection, and that was before -- that was addressed, but that was before we knew the first floor and second floor was one wide open space to communicate.

So I guess I want to make sure that your plans had made it through the Fire Prevention Office and have been approved. And they may have been. I just usually hear about these things.

ATTY EMMA YASHAR: We should have brought you someone from Skanska, who is contractor, this evening and I will check for you.

CAPTAIN TOM CAHILL: What is the occupancy going to be?

SHAWNA SULLIVAN: The occupancy for the first and second floor can be 510 based off the restrooms, the number of restrooms.

For the first floor, we have a seating capacity of 250, and a 70-person seating capacity for the patio area, and we -- if we are holding an event upstairs, while there's full seating downstairs, the event upstairs can only have about 190 people. But because there's open event space, we likely may close the restaurant and

have an event upstairs with a different furniture configuration.

CAPTAIN TOM CAHILL: Okay, I don't think that you are -- that the Lingo at the other building was required to have crowd managers. Are you familiar with the crowd manager requirements?

CHRISTINA BRAGA: Yep. We have don't enough employees to require there to be a crowd manager on site, but I had to go --

CAPTAIN TOM CAHILL: Explain that to me. What do you mean you don't have enough employees?

CHRISTINA BRAGA: It was -- the requirements said that you have to have 25 or 20 employees to have a crowd manager.

CAPTAIN TOM CAHILL: It has nothing to do with employees. It has to do with the occupancy of the establishment.

CHRISTINA BRAGA: Okay, all of -- myself

and all of my bartenders have gone through the crowd management training.

CAPTAIN TOM CAHILL: Do you know how many crowd managers you are required to have on site whether you have one person in the establishment or whether you have the full 500?

CHRISTINA BRAGA: For the new space? I'm not sure about the new space.

CAPTAIN TOM CAHILL: You are required three at all times. Even if there's nobody in the establishment, three of your employees need to have this.

CHRISTINA BRAGA: There's five of us that have the training.

CAPTAIN TOM CAHILL: Then you know it is an easy thing to do. Make sure that you can comply with that and someone get in touch with Fire Prevention. It may have been done. I haven't seen it yet, okay.

SHAWNA SULLIVAN: We'll take care of that right away. Thank you.

CHAIR ANDREA JACKSON: Any questions?

SUPERINTENDENT STEVE WILLIAMS: Just parking will be contained in the building? You don't have worry about much on-street taking up a --

SHAWNA SULLIVAN: We have an employee parking garage in both of our buildings. And then there's metered parking around the North Point area as well as Cambridge residential parking up and down North Point Boulevard, but for the most part of our employees because --

SUPERINTENDENT STEVE WILLIAMS: Will be utilizing the space?

SHAWNA SULLIVAN: Yep.

CHAIR ANDREA JACKSON: Any questions as it relates to the first half of the application?

CAPTAIN TOM CAHILL: No.

CHAIR ANDREA JACKSON: Do you have
abutter notifications?

EXECUTIVE DIRECTOR ELIZABETH LINT: I
don't think there are any abutters.

ATTY EMMA YASHAR: We notified -- EF
notified itself. And then also the State owns
property, so we did pull an abutters list and it
is in the envelope we gave to the Director. So
the assessor's rules are still carrying the MDC
as the owner of the neighboring properties, so
that one was returned.

CHAIR ANDREA JACKSON: But there are not
any residents right there?

ATTY EMMA YASHAR: No.

EXECUTIVE DIRECTOR ELIZABETH LINT: Ma'am
Chair, I do have letters in support. One from
Councillor Toomey who says he supports the
application submitted by North Point Cafe doing
business as Lingo, change of the location of

their current operation to their newly-completed building at 8 Education. Lingo is a successful operation that has helped to enliven the North Point area and park land as the area is developed. A new home at EF's new building will be a suitable location for Lingo where they can continue to thrive and enliven the area. And as well from East Cambridge Business Association that said basically the exact same thing.

CHAIR ANDREA JACKSON: Any members of the public that wish to be heard on this matter?

Seeing none, Captain, what is your preference? Do we continue this matter until your office can confirm or --

CAPTAIN TOM CAHILL: Can we make a motion that we can approve this pending the fact that they bring the documentation into our office in the next couple days?

CHAIR ANDREA JACKSON: As long as you are

comfortable with it, sure. I will let you make a motion.

CAPTAIN TOM CAHILL: We will make the motion to accept, as proposed, on the condition that by the end of the day Friday Skanska provides the Fire Prevention Office with the documentation that they need to approve the plans.

CHAIR ANDREA JACKSON: If I can make a friendly amendment to that. If we don't receive those documentation, the matter will be placed on the next agenda then.

Is there a second?

SUPERINTENDENT STEVE WILLIAMS: I'll second.

CHAIR ANDREA JACKSON: All in favor signify by saying aye.

CAPTAIN TOM CAHILL: Aye.

CHAIR ANDREA JACKSON: Aye.

That's on the first application.

CHAIR ANDREA JACKSON: If you can speak more towards your second application.

EXECUTIVE DIRECTOR ELIZABETH LINT: I have to announce it.

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APPLICATION: NORTH POINT, INC., D/B/A

HULT STUDENT LOUNGE

EXECUTIVE DIRECTOR ELIZABETH LINT: North Point, Inc., d/b/a Hult Student Lounge, Christina Braga, manager, has applied for an alcoholic beverages educational institute license and common victualler license at 1 Education Street.

The proposed hours of operation of 8 a.m. to 1 a.m. seven days per week with a seating capacity of 134 inside and 54 seasonal outdoor patio seats.

Alcohol service will not start until 5 p.m.

Applicant is also applying for an entertainment license to include, dancing by patrons, poetry and other readings; live music and/or vocalists with amplification; karaoke: Music playing below, at or above conversation level and 2 TVs.

EXECUTIVE DIRECTOR ELIZABETH LINT: Now that I just said all that, I believe they are just going forward on the CV and entertainment application.

CHAIR ANDREA JACKSON: Is that correct?

SHAWNA SULLIVAN: Yes, that is correct.

CHAIR ANDREA JACKSON: If you can tell us a little about this plan.

SHAWNA SULLIVAN: This location is at 1 Education Street, which is our -- the building that you have seen since 1997. It is where the existing Lingo building space is located.

What's happening as part of our broader

expansion in Cambridge is the Hult International Business School, which is an affiliate of EF Education First, is growing in its Cambridge location, and we are increasing Hult student enrollment from about 250 students typically to 600 students this fall.

These students come from 50 plus countries around the world, and they come to study and live in Cambridge from six to nine months through their one-year global MBA program.

The Hult campus has been located on one floor of 1 Education Street for the past five or so years, and we are now expanding it to all floors of 1 Education Street.

So right now, the building is going through a total gut rehab and renovation to transform offices into classrooms, and as part of this overall project and focusing the building's use on Hult International Business School, we

propose to transform the space that was formerly known as Lingo into more of a traditional higher education university graduate school beer and wine bar and student lounge, and this is consistent with what other major universities in the city have done and we feel that it would be complementary to the student experience for them to have their own space.

I would point out that this space has for the last ten years been open to the public, and with this change, if it goes forward, we would be moving the public restaurant and bar over to 8 Education Street.

This space would turn into a student-only secure lounge which would not be open to the public.

Restaurant Associates would still manage the space and would still be the food and beer and wine provider if that were to go forward.

We, just as a matter of context, realized earlier this week that the application that we had put forward wasn't the -- didn't have the right application name on it.

We were proposing this education license under the North Point Cafe name and that's our mistake and what we'll do is come back before the Commission and with an application under Hult International Business School's name for an education beer and wine license. However, in the interim, we ask for the Commission's approval on the CV and entertainment so that when students arrive in the next couple weeks we can continue to use that space for food and events.

CHAIR ANDREA JACKSON: You say when you come back looking for the beer and wine, are you looking for beer and wine or all alcohol when you come back?

SHAWNA SULLIVAN: Beer and wine I think

is consistent with the education license.

ATTY EMMA YASHAR: Our understanding is the education license is only a beer and wine license.

CHAIR ANDREA JACKSON: So it is probably a typo on our agenda.

EXECUTIVE DIRECTOR ELIZABETH LINT: I think that's what they applied for.

ATTY EMMA YASHAR: Right, yes.

SHAWNA SULLIVAN: I'll make one last addition, we have met with, and we always do meet with, the East Cambridge Planning Team and we have briefed them and asked for their support on this new plan for the Hult student lounge to be a student-only beer and wine facility and then the public restaurant to be at Education Street and we are grateful to have their support in this.

EXECUTIVE DIRECTOR ELIZABETH: There's a letter that the East Cambridge Planning Team

sent, the Business Association sent, actually it was for both locations. And Councillor Toomey also sent a letter in support of this application.

CHAIR ANDREA JACKSON: Is the CV capacity as listed the current seating capacity for Lingo now?

SHAWNA SULLIVAN: Yes.

CHAIR ANDREA JACKSON: And that has 134 inside and 54 seasonal outdoor patio seats?

SHAWNA SULLIVAN: Yes.

CHAIR ANDREA JACKSON: So you are not looking to increase that capacity?

SHAWNA SULLIVAN: No. From a construction standpoint, we are not doing anything to change the interior of the space how it is today.

CHAIR ANDREA JACKSON: Then it is just a student lounge not open to the public?

SHAWNA SULLIVAN: Yes, correct.

CHAIR ANDREA JACKSON: Any questions?

SUPERINTENDENT STEVE WILLIAMS: No

questions.

CHAIR ANDREA JACKSON: Any questions?

CAPTAIN TOM CAHILL: No questions.

CHAIR ANDREA JACKSON: I make a motion that we approve the CV license at 1 Education Street with the proposed hours of operation in addition to the entertainment license to include dancing, poetry, and other readings, live music and vocalists with amplification.

Actually, I didn't ask. Are there any members the public that wish to be heard on this?

Seeing none, I will go back to my motion.

Is there a second on the motion?

CAPTAIN TOM CAHILL: Second the motion.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

SUPERINTENDENT STEVE WILLIAMS: Aye.

CHAIR ANDREA JACKSON: You are all set.

Thank you.

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APPLICATION: LESLEY UNIVERSITY

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Lesley University has applied for a lodging house license at 68 Oxford Street for 17 rooms and 28 occupants. Applicant is also applying for exemption from the requirement for having a resident manager.

KEVIN MURPHY: Kevin Murphy, K-E-V-I-N M-U-R-P-H-Y. I'm the Director of Facilities and Operations at Lesley University.

CHAIR ANDREA JACKSON: Good evening.

KEVIN MURPHY: Good evening.

CHAIR ANDREA JACKSON: Could you tell us about this lodging house at 68 Oxford Street, 17 rooms and 28 occupants, how many floors is it?

KEVIN MURPHY: A basement plus three.

CHAIR ANDREA JACKSON: A basement plus three?

KEVIN MURPHY: Yes. It's a building that has been dormitories for 20 plus years.

This year we are doing a full gut renovation of the building. Much needed.

CAPTAIN TOM CAHILL: What is involved in the gut renovation as far as Fire Prevention?

MR. MURPHY: It was previously sprinkled. We have a new sprinkler system. Fully addressable fire alarm system. Everything was taken out. At one point you could walk into the basement and see the underside of the roof. It is a gut.

CAPTAIN TOM CAHILL: Are there any variances to the Building Department, variance requests for egress from the basement?

KEVIN MURPHY: No. We did a variance

request earlier but that was for some dormers that we are adding to the third floor.

CAPTAIN TOM CAHILL: What?

KEVIN MURPHY: Dormers on the third floor.

CHAIR ANDREA JACKSON: Are they single occupancy? Single or double?

KEVIN MURPHY: A combination.

CHAIR ANDREA JACKSON: How long has it been at this location again?

KEVIN MURPHY: I have been at the university 20 years. It was a dormitory when I started working there.

CHAIR ANDREA JACKSON: Any questions?

SUPERINTENDENT STEVE WILLIAMS: No.

CAPTAIN TOM CAHILL: No questions.

CHAIR ANDREA JACKSON: Any members of the public that wish to be heard on this matter?

KEITH LONG: I would, Madam Chair.

CHAIR ANDREA JACKSON: State your name for the record, spelling your first and last name, please.

KEITH LONG: My name is Keith K-E-I-T-H, Long, L-O-N-G and I live next door at 52 Wendell Street and here in the audience with me is Rebecca Henderson that lives in the same building at 50 Wendell Street. And she's here with her son as well, Harry.

I have lived at 52 Wendell Street since 1993, so I guess I have been there longer than Mr. Murphy and have some experience with the building. It's a dorm. It's a dorm.

And my concern is with the part of the application that asks for exemption for a requirement of having a resident manager.

It is a big house. It will be occupied by students. At various times over the past 20 years there have been various issues of

supervision of the kids inside. It's changed. It was an all-female dorm at all one time. It became a coed dorm at one time. I understand now it is going to be used for the Threshold Program. But it changes. It changes as the university changes. I recognize it is a dorm. I support Lesley. It is a very good institution. It is has done a lot of good for the community.

I'm concerned about the lack of a resident manager.

In the past when there have been issues, we have had difficulty reaching someone who can do something about it.

On occasions I had to go actually to the president of Lesley to get attention paid.

Things have been better since the president has been involved.

When we went to the variance hearings at the Zoning Board of Appeals, the university, I

think, with Mr. Murphy, said that there would be two resident advisors who would be living in the building.

Maybe they substitute for a resident manager, but if you are going to approve this, this application for this density, I think there should be some requirement that there be on-site supervision.

There should be people who can be reached, and I guess, as neighbor, I would like to have the phone numbers so I can call them in case there's an issue.

CHAIR ANDREA JACKSON: Thank you. That was very helpful.

KEVIN MURPHY: I would like to --

CHAIR ANDREA JACKSON: If you can give me one second I would like to hear from her. Then I'll give you the opportunity to respond.

If you could please come forward.

REBECCA HENDERSON: Sure. My name is Rebecca Henderson, R-E-B-E-C-C-A, Henderson, H-E-N-D-E-R-S-O-N. I live at 50 Wendell Street, directly adjacent to the dorm, and I just wish to second my neighbor Mr. Long's comments.

It is a dorm and it can get pretty wild. Particularly in the early fall when the weather is warm and the kids are outside. I'm very comfortable to be living next to a dormitory, Lesley is a fine institution, but I would second the request for some form of supervision of the students.

CHAIR ANDREA JACKSON: Do you have concerns as it relates to noise?

REBECCA HENDERSON: Absolutely. My bedroom is 15 feet from the building. It can get very loud. When it gets loud, I've called the Lesley police, who may or may not show up. It can be very frustrating. It is very hard to get

action on my complaints.

CHAIR ANDREA JACKSON: Thank you.

Are there any other members of the public that wish to be heard?

(No response.)

CHAIR ANDREA JACKSON: Mr. Murphy, I'll give you an opportunity to respond to the concerns.

KEVIN MURPHY: In regards to exemption for resident manager, Lesley has about 16 dormitories, and we are exempt from the resident manager in all the dormitories regardless of size.

We do have staff in all of these. We do have resident assistants, and in this particular instance, as we indicated previously, there are two resident assistants assigned to this building, and unlike the traditional undergraduate population, these are actually

professional staff graduate students that are on the Lesley payroll and they will be living there.

In fact, they live there beyond the time that the students do. They usually are there for a year.

CHAIR ANDREA JACKSON: So they do actually live on site?

KEVIN MURPHY: They do. They both have rooms in the southeast and northeast corners of the building, actually, the side of the building that's closest to Rebecca's property, they will be right there at that edge.

CHAIR ANDREA JACKSON: As you heard, obviously, there are concerns from the residents, how do you plan to address those in terms of who should they contact?

I don't know if they should necessarily have to call the police every time there's a concern, so who is it that you would recommend

that they would contact if they are having problems?

KEVIN MURPHY: Public safety is there 24/7. Because there are two resident assistants assigned to the building doesn't mean that they will necessarily be there 24/7. They come and go, and they may not always be there. It is certainly -- you know, we could provide numbers for those people and my phone number and email as well.

KEITH LONG: Could I respond briefly, Madam Chair?

CHAIR ANDREA JACKSON: Yes.

KEITH LONG: You know, I have no -- I would not say that the other dorms are comparable to this particular building.

My understanding of Lesley's other dorms they are more integrated into the campus. This house is right on the periphery of Lesley's

campus, right next to a residential neighborhood, my house and Rebecca's house, so I think the fact that there are no managers in the other buildings doesn't necessarily apply to this building.

It is nice to hear there are going to be resident assistants and if there's going to be -- you know, if they are going to be there, I would like this license, if it is granted, be conditioned on their being resident supervision and there being contact telephone numbers in that building for us to contact.

In the past we have called public safety, Lesley public safety. They may come by. They may not.

At one point in the past, hopefully way behind us, there was actually a homeless person living in the abandoned dumpster shed in the back that Lesley's security never noticed until we pointed it out and they came the next day to do

something about it.

So I really don't have a whole a lot of confidence in Lesley public safety people keeping adequate supervision on this building.

I'm delighted to hear there will be people on site in the building, but I would like this conditioned on their being there and on having contact phone numbers so we can contact them.

CHAIR ANDREA JACKSON: Thank you.

KEITH LONG: Thank you.

CHAIR ANDREA JACKSON: Is there any questions?

SUPERINTENDENT STEVE WILLIAMS: You mentioned Lesley police, what is their staffing?

KEVIN MURPHY: It is public safety. It is not police. Securitas is the firm that we contract with. And they do have a 24/7 presence on the campus. There's an office that's manned

around the clock off Mellon Street, which is really just a block from this building.

I would point out just a couple houses up the street, at 78 Oxford, we have another dormitory that it is even more remote from the main campus, that is also part of the Threshold Program, it is a similar size population, surrounded by neighbors, and we did a similar project last year, and we have had no issues, no problems.

CAPTAIN TOM CAHILL: In lieu of the resident manager, are you proposing to have phone numbers available to neighbors that are concerned?

KEVIN MURPHY: We could make those phone numbers available.

CHAIR ANDREA JACKSON: I would like to make --

KEVIN MURPHY: I would --

CHAIR ANDREA JACKSON: I'm sorry, go ahead.

KEVIN MURPHY: I would like to add, though, beyond that, it would be nice if there was follow-up with maybe myself or somebody else in the administration so that we are aware that there are problems and we can follow up from our end as well to make sure.

CHAIR ANDREA JACKSON: All set?

CAPTAIN TOM CAHILL: All set.

CHAIR ANDREA JACKSON: Any other members of the public that wish to be heard?

I would like to make a motion that we approve the application contingent upon phone numbers being provided to the all the abutters. So all the abutters that you had to send notices to that you had to be hear this evening that they receive a list the phone numbers in the event there's a problem.

I would like to say we have a six-month review. I would like give the neighbors an opportunity to come back and tell us whether or not they've had problems or whether or not they have been addressed in a timely matter.

Is there a second on the motion?

SUPERINTENDENT STEVE WILLIAMS: Second.

CHAIR ANDREA JACKSON: All those in favor signify by --

KEITH LONG: May I ask a question, Ma'am Chair?

CHAIR ANDREA JACKSON: Yes.

KEITH LONG: When you say telephone numbers, whose telephone numbers?

CHAIR ANDREA JACKSON: Phone numbers of staff at Lesley you are able to contact in the event you have a problem. So whether it's the resident -- the student advisors that are there, the advisors in the building, Mr. Murphy's phone

number, I want to make sure you are comfortable and you have people that you can call in the event that you have a problem whether it is 10:00 at night or 2:00 in the morning.

KEITH LONG: Okay, my preference would be somebody in that building.

CHAIR ANDREA JACKSON: Okay. So I can amend my motion to make sure that it is someone in the building that they are able to contact.

Is that satisfactory to you?

KEITH LONG: Thank you.

CHAIR ANDREA JACKSON: Is there a second on the motion?

SUPERINTENDENT STEVE WILLIAMS: I second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

SUPERINTENDENT STEVE WILLIAMS: Aye.

CAPTAIN TOM CAHILL: Aye.

KEITH LONG: Thank you.

CHAIR ANDREA JACKSON: You're welcome.

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APPLICATION: MAGG, LLC, D/B/A WEST

BRIDGE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application Magg, LLC, d/b/a West Bridge, Alexis Gelburd-Kimler, manager, holder of an alcoholic beverages restaurant license at One Kendall Square has applied for an alteration of premise to include an outdoor bar service station.

CHAIR ANDREA JACKSON: Good evening.

ATTY WILLIAM FERULLO: Good evening. My name is William Ferullo. I'm with the Law Offices McDermott, Quilty & Miller at 131 Oliver Street in Boston. I'm here on behalf of Magg, LLC.

To my left is Alexis Gelburd-Kimler, who is a co-owner and manager of record of the premises.

This board licensed the premises, which is known as West Bridge. That's at One Kendall Square, Building 300, in 2012. At the time of licensing, we were approved to have a patio on the upper level. This restaurant is up several stairs to what is considered to be the upper level of the patio area, so our initial patio was directly outside the door for 14 seats. That still exists.

Last year we applied for a patio on the lower level for 32 seats. We are here today because when the patio on the lower level opened at the end of last season, we discovered it was difficult to service the patio from the upper level and when we reopened for this season, the restaurant decided to put a service bar, a portable service bar, on the lower level without knowing that was an alteration of the premise that should have come to the board.

Ms. Kimler offers her apology for that but didn't realize, since she wasn't changing the capacity, that that was necessary to appear before the board.

We are here requesting that the portable bar be allowed on that lower level, so it makes the service easier, and we still are able to maintain 32 seats that we were allowed in the prior application.

If I can add, since opening, the restaurant has received numerous awards and accolades, Wine and Food -- rather, Food and Wine Magazine, Gentleman's Quarterly, James Beard recognized Vavet (phonetic), who is the chef, the other co-owner, as an up-and-coming chef and featured him recently in the James Beard Society.

So it is a well-received restaurant. The patio is popular.

As I say, the difficulty is being on the

upper level and the lower level makes it difficult to service that patio.

CHAIR ANDREA JACKSON: So the upper patio, I know was previously approved as well as the lower patio, but just the outdoor bar was not previously approved?

ATTY WILLIAM FERULLO: Correct.

CHAIR ANDREA JACKSON: Are you currently using the outdoor bar as well?

ATTY WILLIAM FERULLO: The outdoor bar is outside, yes.

CHAIR ANDREA JACKSON: And you recognize that because it is not licensed, and I understand that's why you are here in front of us this evening, that you should not be using it until you do receive approval from the ABCC contingent upon whether or not we approve it.

ATTY WILLIAM FERULLO: With those instructions we'll discontinue use until such

time as we hear from them. I believe that's the first she's aware of that.

CHAIR ANDREA JACKSON: Any questions?

SUPERINTENDENT STEVE WILLIAMS: No.

CHAIR ANDREA JACKSON: Any questions?

CAPTAIN TOM CAHILL: No.

CHAIR ANDREA JACKSON: Are there any members of the public that wish to be heard on this matter?

Seen none --

MARC LEVY: Could I ask about the discrepancy --

CHAIR ANDREA JACKSON: If you could please state your name for the record.

MARC LEVY: I'm sorry. Marc Levy, M-A-R-C L-E-V-Y. I was just wondering that when it was granted it was supposed to be for food only.

CHAIR ANDREA JACKSON: I'm sorry, I can't

hear you.

MARC LEVY: When it was granted, the attorney said it was food only and that to get drinks you would have to go inside the restaurant. I'm just wondering what changed.

ATTY WILLIAM FERULLO: That's not --

CHAIR ANDREA JACKSON: That's not what you said.

ATTY WILLIAM FERULLO: I don't believe that was ever part of the presentation we made.

We never said it wouldn't be full service outside. There's full service both on the upper level -- you have food service and alcohol service at both levels.

CHAIR ANDREA JACKSON: Right, because it's fenced, it's properly gated in, so you were previously approved to have alcohol outside but not having a bar outside.

ATTY WILLIAM FERULLO: Correct, correct.

MARC LEVY: I'm looking at the transcript.

Do you want to hear it or --

CHAIR ANDREA JACKSON: Sure, if you have it in front of you.

MARC LEVY: "We would point out that the patio that currently exists and this patio as well is going to be food service, meaning if someone wished to come in for a drink they would have go into the existing bar that's inside the restaurant."

CHAIR ANDREA JACKSON: And what are you reading from?

MARC LEVY: Your transcript from April 9, 2013.

Tuesday, April 9, 2013.

CHAIR ANDREA JACKSON: Ms. Lint, do you have the file in front of you to see what it was?

EXECUTIVE DIRECTOR ELIZABETH LINT: I

don't. I can look it up.

CHAIR ANDREA JACKSON: If you can look it up.

ATTY WILLIAM FERULLO: Give me a half second. I may have it.

MARC LEVY: Maybe I'm misreading it. It is 79 and 80 from that transcript. Bottom of 79. Top of 80.

EXECUTIVE DIRECTOR ELIZABETH LINT:
Actually, the approval letter does not address food or alcohol. Specifically it says "The Commission has received final approval from the ABCC regarding your application for an alteration of premise to include a second seasonal outdoor patio on private property at One Kendall Square."

CHAIR ANDREA JACKSON: May I see that, please?

EXECUTIVE DIRECTOR ELIZABETH LINT:
(Complying).

ATTY. WILLIAM FERULLO: Madam Chair, it has come to my attention, I think the instructions may have been -- an individual in the audience who was at the restaurant two weeks ago said he was instructed and if he wished to have a drink only, he would have to go inside to the bar, otherwise he would have to order food outside. I believe that's the way it has been served.

EXECUTIVE DIRECTOR ELIZABETH LINT: What was the date again?

MARC LEVY: April 9.

EXECUTIVE DIRECTOR ELIZABETH LINT: We didn't have a hearing, or if we did, I wasn't here.

MARC LEVY: It is dated April 9, 2013. It is from your website.

CHAIR ANDREA JACKSON: Without looking at it, what was previously approved was just simply

that they have an outdoor patio but the issue of alcohol was not addressed?

EXECUTIVE DIRECTOR ELIZABETH LINT: I was going to look. I was not here for that hearing.

CHAIR ANDREA JACKSON: If that's the case, then how does that effect the application for this evening?

EXECUTIVE DIRECTOR ELIZABETH LINT: Let me see what the application was for.

ATTY. WILLIAM FERULLO: As the Executive Director is looking at that, I filed all three applications.

We never requested that there be a limitation on service on the patio, nor did the board ever impose a limitation on service on the patio. The service on the patio that we use today, as stated, is that, again, if an individual wants to come for a drink, they are shown into the bar inside. If they wish to have

a drink and a meal, they are allowed to sit on the patio.

But that's self-imposed.

That was not something that's been imposed by this board.

EXECUTIVE DIRECTOR ELIZABETH LINT: The application. As was called at the hearing. Was that West Bridge applied for alteration of premise to include a second outdoor patio on private property.

But there was no specification.

CHAIR ANDREA JACKSON: So in the alteration of premise application that you have filed before us today, do you have the complete artist rendering of the bar area?

ATTY. WILLIAM FERULLO: Yes.

CHAIR ANDREA JACKSON: And is it in the enclosed area?

ATTY. WILLIAM FERULLO: Yes.

I can show you drawings of the enclosures. I don't have pictures but I have drawings.

EXECUTIVE DIRECTOR ELIZABETH LINT: So it -- the transcript goes on to say that patio service will be similar to the smaller area of the 14-seat area, which serves the same capacity as the restaurant, being you have full meals or light meals, beverage service as you would inside the restaurant.

MARC LEVY: But there's no food out there?

CHAIR ANDREA JACKSON: I'm not sure I understand your question.

MARC LEVY: I went by today and I asked about --

CHAIR ANDREA JACKSON: I'm sorry?

MARC LEVY: I went by today at 12:30 or so and I asked the hostess about dining out

there, I was told there's no food service but a daily project, which was yesterday, and probably today again, duck chorizo, if that's how you say it. It is just like an appetizer.

CHAIR ANDREA JACKSON: So is there a full food service outside?

ALEX GELBURD-KIMLER: There's a bridge menu. It is a shortened menu of what's served inside. It's a shortened menu. It has some different items. The young lady that he must have spoken at the bar, she works lunch. The outdoor bar area is not open during lunch.

CHAIR ANDREA JACKSON: So I'm not sure I understand.

So is it a different menu outside than what is available inside?

ALEXIS GELBURD-KIMLER: No, it is available inside.

ATTY. WILLIAM FERULLO: It's a portion of

the menu that's inside. You can't have every item that's on the menu inside, outside.

ALEXIS GELBURD-KIMLER: It is called our bridge menu.

CHAIR ANDREA JACKSON: Do you have a copy of your menu?

ALEXIS GELBURD-KIMLER: I don't have it with me. I can try and pull it up.

EXECUTIVE DIRECTOR ELIZABETH LINT: Madam Chair, I have more information on this transcript that might be helpful.

Mr. Gardner was the Chair at the time. His question was: "Is the patio configured such that access is controlled so people can't be getting in to get liquor?" Meaning someone walking out. And as Attorney Ferullo said, "As we have application, the patio is an enclosed area, which requires a bit of construction, meaning we have to put in removable stanchions to

assemble what will be a metal and wooden fencing system that will close it in.

The walkway into it, it's a stanchion-type of system, so that people won't congregate near the stairs, et cetera. They can be allowed on the patio. They won't be able to leave the patio or enter the patio without going through the entrance."

So Mr. Gardner asks: "So you'll be able to control ID checks and all that that way?"

And the answer was: "Absolutely."

Then there was discussion about whether or not it was contiguous. If the ABCC would approve it. And the ABCC did approve it.

CHAIR ANDREA JACKSON: I don't see a bridge menu on the website. Is there a bridge menu?

ATTY. WILLIAM FERULLO: She is trying to retrieve it for you.

ALEXIS GELBURD-KIMLER: We don't have it posted.

CHAIR ANDREA JACKSON: And my concern is, if you are having a full bar outside, I don't want people who are just simply out there drinking and not eating any food.

ALEXIS GELBURD-KIMLER: I understand that. It is in a PDF, I can't pull it up on my phone to show you.

ATTY. WILLIAM FERULLO: We can make that available to you even before the night's over we can have it sent over. And I would point out as well, the patio opens at three in the afternoon.

CHAIR ANDREA JACKSON: The patio opens three in the afternoon?

ATTY. WILLIAM FERULLO: Yes.

Is that different on the weekend?

ALEXIS GELBURD-KIMLER: Three.

ATTY. WILLIAM FERULLO: Three, seven days

a week.

CHAIR ANDREA JACKSON: I'm not comfortable making a motion to approve this until I, at least, have the opportunity to look at the menu.

If you are telling people me people are able to sit at the bar and not able to eat the same food that you are able to eat inside, again I don't want people just sitting outside at the bar eating chips and dip. And I'm being sarcastic with that, but I want to make sure they are able to have a full meal, or whatever it is that they can possibly consume at the bar as they sit on the inside.

ALEXIS GELBURD-KIMLER: Okay.

CHAIR ANDREA JACKSON: Any questions?

SUPERINTENDENT STEVE WILLIAMS: No.

CAPTAIN TOM CAHILL: No questions.

CHAIR ANDREA JACKSON: Are there any

other members of the public -- Mr. Valentine, if you would please come forward then.

PETER VALENTINE: I will speak up loud.

CHAIR ANDREA JACKSON: No. I need you to come forward, please.

PETER VALENTINE: I would love to come forward.

Peter Valentine, 37 Brookline Street, Cambridge, Mass. Do I spell my name?

CHAIR ANDREA JACKSON: Please.

Peter valentine: P-E-T-E-R
V-A-L-E-N-T-I-N-E.

He brought up an important issue to mind, which is, if it is important enough for the Chair to ask people in the audience to come -- if they have anything to say, the people in the audience have to hear what they have to say, and it is difficult to hear what the people are talking about. At the beginning of the meeting, even the

board had to ask the people here to speak up.

It seems to me that the City of Cambridge has a massive surplus of finances and it should be asked to provide microphones so everybody in the room can hear clearly what is talked about. And then if they have anything to say, they know what has been said.

CHAIR ANDREA JACKSON: Thank you.

So based on what I've heard this evening, I make a motion we continue this matter to our next hearing, which is on the 28th, to give you the opportunity to provide us with a menu and additional information because as of right now I'm not comfortable doing anything other than continuing the matter. Is there a second?

CAPTAIN TOM CAHILL: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

SUPERINTENDENT STEVE WILLIAMS: Aye.

ATTY. WILLIAM FERULLO: We'll discontinue use until we are back before you on the 28th.

CHAIR ANDREA JACKSON: Thank you very much.

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APPLICATION: CHAZUMBA, LLC, D/B/A

FELIPE'S TAQUERIA

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Continued from January 7, 2014, Chazumba, LLC, d/b/a Felipe's Taqueria, Tom Brush, holder of an approved common victualler license not yet issued for discussion regarding the rooftop patio.

ATTY KEVIN CRANE: Good evening, Madam Chair, and Members of the Board. My name is Attorney Kevin Crane, K-E-V-I-N C-R-A-N-E, like the long-legged bird. I have an office at 104 Mount Auburn Street in Cambridge and I represent the petitioner on this particular matter.

If you might recall, we were before you in January of this past year with our plans to renovate the space that was previously occupied by Bertucci's.

The board at that time approved the interior request as far as the first floor and a new mezzanine section in the total amount of 110 seats.

As part of that petition, we requested to approve a roof deck in the amount of 67 seats, and that particular portion of the petition was put on hold because there was an issue regarding architectural access barriers.

My client applied for a variance to the State Architectural Access Board and he was denied his variance, so he's gone ahead and revised his plans and constructed an elevator to the roof, so that the property will be totally accessible.

The elevator shaft has been constructed, and my understanding is that the elevator will start to be put in on Monday and it will take about four weeks to complete that particular job.

So we are here tonight to request to be approved for the common victualler aspect of the roof deck.

I do have a slightly revised floor plan in that we had to reduced the number of seats on the deck from 67 to 60 as a result of a zoning request from Inspectional Services.

CHAIR ANDREA JACKSON: What was the seating capacity for the rooftop?

ATTY KEVIN CRANE: 60 seats?

CHAIR ANDREA JACKSON: 60.

ATTY KEVIN CRANE: 60.

CHAIR ANDREA JACKSON: So you reduced the capacity on the second floor?

ATTY KEVIN CRANE: On the roof from 67 to

60. Interior is the first floor and mezzanine will be the same as was approved in January.

For the record, Madam Chair, I forgot to introduce my client. Tom Brush, B-R-U-S-H, who is the manager of the premises.

CHAIR ANDREA JACKSON: I know back in January we did have extensive conversation about it.

When are you slated to open? When are you looking to open? I walk by periodically and I see the sign changes.

TOM BRUSH: The barricade comes down Friday or Saturday this week. The storefront has been completed and built. We plan to open as soon as the elevator gets installed, so the end of September, first of October we will be open.

CHAIR ANDREA JACKSON: And the elevator will be functioning?

TOM BRUSH: That's correct. It's a

three-to-four week installation to install the elevator.

CHAIR ANDREA JACKSON: Did we receive anything from Michael Muehe?

EXECUTIVE DIRECTOR ELIZABETH LINT: We did not. He's been out.

CHAIR ANDREA JACKSON: We sent notification to the Disability Commission to see if they had any concerns but we did not receive a reply back.

TOM BRUSH: I did meet with him and discussed the --

CHAIR ANDREA JACKSON: Okay, so you did meet with him as it related to access to the rooftop?

TOM BRUSH: That is correct, yes, I did.

CHAIR ANDREA JACKSON: If I remember correctly, the Chief's concerns at the last hearing was just whether or not it was to be a

hydraulic lift.

CAPTAIN TOM CAHILL: I have a question about access to the roof. So currently there's no access to the roof, so how would you get to the roof if you needed to?

TOM BRUSH: Right now there are stairs to the mezzanine, and from the mezzanine up to the roof, so there's direct access from the mezzanine right up to the roof.

CAPTAIN TOM CAHILL: Okay, what will the new occupancy be total?

TOM BRUSH: Total occupancy is 170.

CAPTAIN TOM CAHILL: You are familiar with the crowd manager requirements from the Fire Marshal Office?

TOM BRUSH: I was listening to it this evening. I wasn't familiar with the crowd management.

CAPTAIN TOM CAHILL: I would like you to

the Fire Marshal's website and you will be required to have one person on duty because of your occupancy at all times.

If it is a seasonal patio, which I assume it is, unfortunately, you still are required to have that one person on duty because you exceed the 100 and what is left for occupancy.

At all times when this that establishment is opened, there needs to be a crowd manager on duty, so have someone take the course. Nothing further.

CHAIR ANDREA JACKSON: On this particular application there's no alcohol at this time?

TOM BRUSH: At this time.

ATTY KEVIN CRANE: At this time.

CAPTAIN TOM CAHILL: If there's no alcohol, the crowd manager is not required.

ATTY KEVIN CRANE: We do intend to apply.

CHAIR ANDREA JACKSON: I know eventually

you will be back but tonight that's not it.

So with that, there's no requirement that there is a crowd manager if there's no alcohol?

CAPTAIN TOM CAHILL: No.

CHAIR ANDREA JACKSON: Any members of the public that wish to be heard on this matter?

Seeing none, I make a motion that we approve the CV license as it relates to the rooftop patio for Felipe's Taqueria with the occupancy on the roof of 60 seats. Is there a second?

SUPERINTENDENT STEVE WILLIAMS: Second.

CHAIR ANDREA JACKSON: All in favor signify by saying aye.

CAPTAIN TOM CAHILL: Aye.

CHAIR ANDREA JACKSON: You are all set.

ATTY KEVIN CRANE: Thank you very much.

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APPLICATION: BERTUCCI'S

EXECUTIVE DIRECTOR ELIZABETH LINT:

Restaurant Corp., d/b/a Bertucci's Brick Oven
Ristorante, Courtney Tartaglia, manager, holder
of alcoholic beverages restaurant license 59
Cambridgepark Drive has applied for a change of
manager to Giovanni Cefalo.

CHAIR ANDREA JACKSON: Please state your
name for the record spelling your first and last
name and who you represent.

JOHN TESTA: John Testa, J-O-H-N
T-E-S-T-A. The Senior Director of Operations for
Bertucci's.

GIOVANNI CEFALO: Giovanni Celfo,
G-I-O-V-A-N-N-I C-E-F-L-O. Managing partner for
Bertucci's.

JOHN TESTA: We are here before you for a
change of license from Courtney Tartaglia to
Giovanni Cefalo.

CHAIR ANDREA JACKSON: And why the change?

JOHN TESTA: Giovanni was the originally the general manager of the Alewife location. He left that location to open a new concept out in Shrewsbury for the Bertucci's brand, and he is back in the Alewife location.

CHAIR ANDREA JACKSON: How long was he at the Alewife location prior to stepping away?

GIOVANNI CEFALO: Three years.

CHAIR ANDREA JACKSON: So essentially just coming back?

GIOVANNI CEFALO: Yes, ma'am.

CHAIR ANDREA JACKSON: Ms. Lint, was a CORI run?

EXECUTIVE DIRECTOR ELIZABETH LINT: All set.

CHAIR ANDREA JACKSON: Any questions?

SUPERINTENDENT STEVE WILLIAMS: No.

CHAIR ANDREA JACKSON: Any questions?

CAPTAIN TOM CAHILL: We have had a difficult time over the course of the past four years getting compliance from all the Bertucci's locations in the city with regards to crowd managers.

You guys are required to have a crowd manager. I know that in this location your three years is up from when you finally received the certification.

I would like it make sure that as the new manager you are aware that this is a requirement based on your occupancy and you are required to have these people on site from the minute you open the doors until the minute you close them regardless of how many people in the bar. It has been an ongoing problem.

GIOVANNI CEFALO: Yes, sir. We will comply.

JOHN TESTA: I'll also in our Kendall Square location I'll follow-up with that Bertucci's as well.

CHAIR ANDREA JACKSON: Have you attended 21 Proof training?

GIOVANNI CEFALO: Yes, ma'am.

CHAIR ANDREA JACKSON: When is the last time?

GIOVANNI CEFALO: 2013.

CHAIR ANDREA JACKSON: Any questions?

CAPTAIN TOM CAHILL: No.

SUPERINTENDENT STEVE WILLIAMS: No.

CHAIR ANDREA JACKSON: Are there any members the public that wish to be heard on in matter.

Seeing none, I make a motion that we approve the change of manager for Bertucci's at 5 Cambridgepark Drive to Giovanni Cefalo. Is there a second?

CAPTAIN TOM CAHILL: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

SUPERINTENDENT STEVE WILLIAMS: Aye.

CHAIR ANDREA JACKSON: You are all set.

Thank you.

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APPLICATION: ROXY'S GRILLED CHEESE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Roxy's Grilled Cheese, James DiSabatino, manager, has applied for a vendor/peddler license to operate a mobile food truck on private property at 1 Oxford Street in 1130 a.m. to 9 p.m. seven days per week.

CHAIR ANDREA JACKSON: Hi. If you could please state your name for the record spelling your first and last name.

BETH SPROUSE: Beth, B-E-T-H, Sprouse, S-P-R-O-U-S-E. I'm James' general manager. We

applied to vend with Harvard, and we have a letter, I believe you guys have a copy of it, with their full -- it will be Friday, Saturday and Sunday, and I believe that the time is actually wrong. I believe it is 11 a.m. to 8 p.m. over at the Science Center. It's to expand their food truck program.

MS. LINT: This says 11 to 9, the letter from Harvard.

BETH SPROUSE: It says to 9? They would probably know better.

CHAIR ANDREA JACKSON: Okay, those are the hours?

BETH SPROUSE: Yes.

CHAIR ANDREA JACKSON: All paperwork is in order?

EXECUTIVE DIRECTOR ELIZABETH LINT: It is. Background is fine.

CHAIR ANDREA JACKSON: Any questions?

SUPERINTENDENT STEVE WILLIAMS: No.

CHAIR ANDREA JACKSON: Any questions?

CAPTAIN TOM CAHILL: Do you operate in the city someplace else right now?

BETH SPROUSE: Do we operate someplace else?

CAPTAIN TOM CAHILL: Yes.

BETH SPROUSE: Yeah, we have many locations throughout Boston.

CAPTAIN TOM CAHILL: Any in Cambridge?

BETH SPROUSE: No.

CAPTAIN TOM CAHILL: What will fuel the truck, not the truck itself, but the equipment to cook?

BETH SPROUSE: We have a generator.

CAPTAIN TOM CAHILL: Fueled by what?

BETH SPROUSE: Propane.

CAPTAIN TOM CAHILL: Are you aware of the propane requirements with the Fire Prevention

Office?

BETH SPROUSE: We have all the correct permitting for the City of Boston. If there's something different that we need to do for Cambridge --

CAPTAIN TOM CAHILL: There is.

BETH SPROUSE: -- I'm not sure about it.

CAPTAIN TOM CAHILL: Different city, different rules.

BETH SPROUSE: Of course.

CAPTAIN TOM CAHILL: I would get in touch with the Fire Prevention Office.

BETH SPROUSE: I do believe that we have something in our paperwork from the Fire Prevention Office.

EXECUTIVE DIRECTOR ELIZABETH LINT: No.

BETH SPROUSE: Okay, I'll make sure that's done before --

CAPTAIN TOM CAHILL: Okay.

CHAIR ANDREA JACKSON: Okay?

CAPTAIN TOM CAHILL: Okay.

CHAIR ANDREA JACKSON: Any members of the public that wish to be heard on this matter?

Seeing none, I make a motion that we approve the application for Roxy's to operate at 1 Oxford Street from 11:30 to 9 p.m. seven days a week contingent upon approval from Fire Prevention. Is there a second?

CAPTAIN TOM CAHILL: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

SUPERINTENDENT STEVE WILLIAMS: Aye.

CAPTAIN TOM CAHILL: Aye.

CHAIR ANDREA JACKSON: You are all set.

BETH SPROUSE: Thank you.

CHAIR ANDREA JACKSON: And your children have been wonderful.

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APPLICATION: REINS INTERNATIONAL

MASSACHUSETTS, INC., D/B/A GYU KAKU RESTAURANT

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Reins International Massachusetts, Inc., d/b/a Gyu Kaku Restaurant, Densathit Maneeuangfoo, manager, has applied to transfer the wine and malt beverages restaurant license held by Bertucci's Restaurant Corp.

Applicant is also applying for a change in location from 21 Brattle Street to 18 Eliot Street.

Applicant is applying for 118 seats inside, 12 patio, terrace, seats and operating hours from 11 a.m. to 1 a.m. seven days per week 11:30 to 9 p.m.

ATTY MARK CASHMAN: Good evening. My name is Mark Cashman. And I'm an attorney with Fogelman & Fogelman. We're out of Newton. I represent Reins International, Massachusetts,

doing business as Gyu Kaku.

With me tonight is Dennis Maneefuangfoo.

SUPERINTENDENT STEVE WILLIAMS: Want to spell that for the record.

DENNIS MANEEFUANGFOO: My legal name is Densathit, spelled D-E-N-S-A-T-H-I-T. Last name M-A-N-E-E-F-U-A-N-G-F-O-O. Dennis is good.

ATTY MARK CASHMAN: We are applying for the transfer of a beer and wine license from Bertucci's. And counsel for Bertucci's is here tonight, Joe Devlin is back here if you have any questions, but we are excited for the opportunity to open a restaurant here in Cambridge and we welcome any questions you may have.

CHAIR ANDREA JACKSON: Can you tell us about the establishment? In particular one of my concerns, when I read it, says 12 patio terrace seats. Is this a second-floor location?

DENNIS MANEEFUANGFOO: That's correct.

CHAIR ANDREA JACKSON: So where is the terrace patio going to go?

ATTY MARK CASHMAN: We have the floor print here. I just have one copy but I can pass that around.

DENNIS MANEEFUANGFOO: So there's a small open space adjacent to the existing -- if you look all the way to the bottom of the blueprint, it is a little bit light on the lighter shades, but there's a small porch area.

CHAIR ANDREA JACKSON: So it is a small porch area off the back side of the building?

DENNIS MANEEFUANGFOO: Yes. Off the -- it would be the left side.

ATTY MARK CASHMAN: It is just three tables. Each table is gonna have four seats for a total of 12. There's no bar outside. Every table -- it is a Japanese BBQ restaurant. So every table has a BBQ. Almost like a hot pot

type establishment. So all alcohol, beer and wine, will be served with the food.

CHAIR ANDREA JACKSON: I'm sorry, I need to go back to the patio seating. So what will be served outside on the patio?

DENNIS MANEEFUANGFOO: Just the regular as -- the same meal as inside, it would be the patio would also have like a grill that they can BBQ and it would -- we currently have a similar layout set-up in Brookline, our Brookline store, which has been in operation for over a year now.

CHAIR ANDREA JACKSON: So that's -- the one set up in Brookline, is that grill out on the patio, is it ground level or is it upstairs?

DENNIS MANEEFUANGFOO: Ground level.

CHAIR ANDREA JACKSON: I'll have you speak to that.

I won't pretend to address the issues. I'll let you do that. But that's a concern to

me.

CAPTAIN TOM CAHILL: What fuels the grills?

DENNIS MANEEFUANGFOO: We have two types. One is just gas, which is, I believe, propane, that's what the city use. You know, I'm not sure the gas that's --

CAPTAIN TOM CAHILL: No propane.

DENNIS MANEEFUANGFOO: The cooking gas inside the restaurant.

And we have also one that's portable, electrical, and the one, I believe, that's going to be installed outside, that will be a gas line that connects directly to just the same gas that we use for inside.

CAPTAIN TOM CAHILL: Do the grills on inside have hoods?

DENNIS MANEEFUANGFOO: Yes, they have what they call down-draft ventilation. They all

have individual Ansul head built in on bottom so with a thermostat inside. It is as if each individual unit is an Ansul --

CAPTAIN TOM CAHILL: So what will the outside have?

DENNIS MANEEFUANGFOO: Outside of the --

CAPTAIN TOM CAHILL: What will the outside cooking units have?

DENNIS MANEEFUANGFOO: I think it will be the same, the outside cooking units.

I believe these, according to the architect, it will be connected to the inside.

It will be a similar unit where the duct is actually a down draft, so right above the table is the ventilation system, so there it sucks all the smoke down and then runs in through the duct and then the exhaust on the roof will carry it.

CAPTAIN TOM CAHILL: You mentioned a

portable electric.

DENNIS MANEEFUANGFOO: That's the one in the City of Brookline. I apologize.

CAPTAIN TOM CAHILL: I'm a little skeptical of this without having more information, especially on the idea of having an open flame, I presume?

DENNIS MANEEFUANGFOO: Yes.

CAPTAIN TOM CAHILL: An open flame outside; I need more information. I don't know how it is protected by the weather. I mean, can the wind influence the flame?

ATTY MARK CASHMAN: Before you answer, so the patio is only open during the summer months, weather permitting. So I'm not sure exactly, you know, the wind or the conditions that are needed to cook the BBQ but the tables that are outside, are they the same as the tables inside?

DENNIS MANEEFUANGFOO: Yes, they are.

CAPTAIN TOM CAHILL: I'm very reluctant to even go forward with this without having any information. The City of Cambridge has a ordinance no cooking equipment above the first floor outside, so this would be an exception to the city ordinance.

ATTY MARK CASHMAN: This is on the second floor?

DENNIS MANEEFUANGFOO: Yes.

ATTY MARK CASHMAN: The patio?

DENNIS MANEEFUANGFOO: The whole restaurant layout.

ATTY MARK CASHMAN: The patio is on the second floor as well?

DENNIS MANEEFUANGFOO: Yes.

I believe we submitted this drawing to the department of buildings. Everything has already been approved.

CAPTAIN TOM CAHILL: By the Fire

Department?

DENNIS MANEEFUANGFOO: I believe, yes, every approval has been granted.

CAPTAIN TOM CAHILL: I'm not sure about that. And I think that, knowing what we know tonight, that would be reconsidered. We wouldn't be making an exception to a city ordinance at this point.

CHAIR ANDREA JACKSON: What side are you on upstairs? Are you above the IHOP?

DENNIS MANEEFUANGFOO: Above the IHOP.

CHAIR ANDREA JACKSON: So where is the patio then off to the side? I'm looking at something from Google maps.

DENNIS MANEEFUANGFOO: So this is -- right here, there is right next to this side, there's a wall on both sides. It is considered a patio because currently there's no closed roof per se, so even though -- it is open air, which

will then have -- it will be something on top but not a closed space per se.

CAPTAIN TOM CAHILL: Okay.

CHAIR ANDREA JACKSON: I just want the record to reflect that I am looking at a Goggle map of an IHOP, just to keep in the folder, but I mean I have concerns about the outside cooking.

CAPTAIN TOM CAHILL: Right.

EXECUTIVE DIRECTOR ELIZABETH LINT:

There's no sign-offs.

CHAIR ANDREA JACKSON: There are no sign-offs on that form?

EXECUTIVE DIRECTOR ELIZABETH LINT: None.

CAPTAIN TOM CAHILL: I think it is -- if it were to be approved, it would be an exception to the ordinance that I don't -- I wouldn't approve from the Fire Department's standpoint.

As of right now, nothing that you have proposed has been brought to Fire Prevention for

their review and approval.

I have issues with the open flame. Nobody can predict the weather. I have a lot of issues with this, and I'm not comfortable moving forward with it without having a lot more information.

ATTY MARK CASHMAN: So the concern is primarily the patio, the open flame in the patio area, not inside the restaurant?

CHAIR ANDREA JACKSON: You haven't had sign-offs on any of this, have you?

ATTY MARK CASHMAN: I just wanted to -- I didn't know if there was a concern as well with the open flame.

CAPTAIN TOM CAHILL: Well, the city has approved these in other locations, but that's not an approval I could make tonight.

This has to be approved by Fire Prevention first. They are going to review what

you are proposing and they are going to make sure that everything is as you listed, and they'll make that determination there, as far as the inside goes.

As far as the outside goes, that's going to be a licensing question, and I think that when the Chief gets back, he's gonna feel the same way I do. There's not enough information provided and I'm skeptical of making an exception to a city ordinance allowing an open flame on a second floor. That's my view on this.

CHAIR ANDREA JACKSON: I think you are here probably a little prematurely is what, to me, it boils down to.

I think there needs to be a conversation with Fire Prevention, and especially if there are to not sign-offs on that approval form. Do you have any questions?

SUPERINTENDENT STEVE WILLIAMS: No.

CHAIR ANDREA JACKSON: Are there any members the public that wish to be heard on it this matter?

Please come forward.

DIANE TOBIO: My name is a Diane Tobio, T-O-B-I-O.

And I'm representing the Banker Realty Company, which is the building that's right next to this area that he's talking about, and it is just a very small roof area. And our windows are right there and there's no door or anything to get onto this patio.

So we were just a little concerned about fire because the buildings are like all adjoined to each other.

CAPTAIN TOM CAHILL: Kinda going back to what I was saying before, we have the same concerns. I don't see how this is going to make it through the Fire Prevention review process.

At least not the patio area. But I think the Chair is correct, you are here prematurely. Your first step should be to get the proposed plans up to them and have them review it.

CHAIR ANDREA JACKSON: If you could please and state your name for the record, spelling your first and last name, please.

ATTY JOE DEVLIN: Yes, my name is Joe Devlin. I'm an attorney from the Demarkis Law Offices. Devlin is D-E-V-L-I-N. Joe is J-O-E. And I represent Bertucci's Restaurant Corp., which is the seller here.

And I just had a question for clarification, so is the issue here, and my concern is the two or three months that it takes when it goes up to the ABCC, that, you know, the approval here of a liquor license transfer doesn't necessarily obligate the city to do anything. They still have to go and satisfy you

and get the certificate of occupancy before the license is issued and before they start to use the premises.

Maybe more along the lines just offering that as a suggestion that perhaps they could -- is the issue here that the common victualler license is tied to it and then that's the concern with the operation there as well?

CHAIR ANDREA JACKSON: Right. I believe they are here prematurely, that they haven't gone through the proper steps in terms of making sure that Fire Prevention has approved this. So I haven't even gotten to the alcohol piece.

ATTY JOE DEVLIN: So we're at the common victualer, okay, because I was thinking maybe perhaps as a suggestion they could amend the common victualer and deal with patio later because of the time it would take to --

CHAIR ANDREA JACKSON: It's the inside as

well, so it is the whole CV.

ATTY JOE DEVLIN: All right. Thank you for listening.

CHAIR ANDREA JACKSON: Thank you.

So I make a motion, I don't know what your time frame is, I mean we can make a motion we can continue this to the Decision Hearing and see whether or not that is ample time for them to get to you what you need, and if it isn't, we can just continue it.

So I'll make the motion we continue to this to the next Decision Hearing, which is August 28. Is there second.

SUPERINTENDENT STEVE WILLIAMS: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

CAPTAIN TOM CAHILL: Aye.

SUPERINTENDENT STEVE WILLIAMS: Aye.

CHAIR ANDREA JACKSON: I would strongly

suggest that you contact Fire Prevention as soon as possible.

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APPLICATION: WHOLE FOODS MARKET GROUP

EXECUTIVE DIRECTOR ELIZABETH LINT: Whole Foods Market Group, Inc., Phillip Devito, manager, holder of a wine and malt beverages package store license at 340 River Street has applied for a change of manager to be Debbie Pelkie Campbell.

ATTY MICHAEL SCOTT: My name is Michael Scott. I'm with Nutter, McLellan & Fish. I'm representing Whole Foods tonight.

With me from Whole Foods is Debbie Pelke. She's the proposed new manager for the Whole Foods at River Street. Phil Devito is going to be moving up and becoming the store manager up in Nashua, New Hampshire where he resides.

Both are very experienced team leaders

store managers at other Whole Foods locations.

Debbie comes from the Symphony Hall location in Boston, and she has so far not taken the 21 Proof training, but would take it at the next available opportunity if you are to propose and approve the transfer. Thank you very much.

CHAIR ANDREA JACKSON: How long were you with Symphony Hall?

DEBBIE PELKIE: I was in Symphony for two years. I have been with Whole Foods for ten.

CHAIR ANDREA JACKSON: In what capacity.

DEBBIE PELKIE: All in leadership capacities, from team leader to assistant team leader to store team leader. I've opened four of their locations and I have been a store team leader for the past two years.

CHAIR ANDREA JACKSON: Have you held a wine and malt license held in your name before?

DEBBIE PELKIE: I have not.

CHAIR ANDREA JACKSON: Did they have wine and malt at Symphony Hall?

DEBBIE PELKIE: No, they do not.

CHAIR ANDREA JACKSON: Any questions?

SUPERINTENDENT STEVE WILLIAMS: No questions.

CHAIR ANDREA JACKSON: Any questions?

CAPTAIN TOM CAHILL: No questions.

CHAIR ANDREA JACKSON: Any members of the public that wish to be heard in this matter?

Seeing none, I make a motion that we approve the change in manager to Debbie Pelkie Campbell and require you attend 21 Proof training, and if you are quick enough, you can probably still have time to get in on that one that's next week.

DEBBIE PELKIE: No problem. I'll do that.

CHAIR ANDREA JACKSON: Is there a second?

CAPTAIN TOM CAHILL: Second.

CHAIR ANDREA JACKSON: All those in favor
signify by saying aye.

SUPERINTENDENT STEVE WILLIAMS: Aye.

CAPTAIN TOM CAHILL: Aye.

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APPLICATION: NEW ENGLAND SCHOOL ENGLISH,

D/B/A RIVERSIDE HALL

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application, New England School of English, d/b/a
Riverside Hall, Karim Wahid, resident manager,
holder of a lodging house license for 45 rooms
and 85 persons at 11-15 Green Street has applied
for a change of resident manager to Brian
Clavette.

BRIAN CLAVETTE: Good evening.

CHAIR ANDREA JACKSON: Good evening.

BRIAN CLAVETTE: My name is Brian J.

Clavette, B-R-I-A-N C-L-A-V-E-T-T-E.

CHAIR ANDREA JACKSON: And you have applied to be the resident manager.

BRIAN CLAVETTE: Correct.

CHAIR ANDREA JACKSON: What happened to the prior resident manager?

BRIAN CLAVETTE: He's moved on. He obtained his law degree and he moved on to become an attorney.

CHAIR ANDREA JACKSON: And what is your background? What is your experience?

BRIAN CLAVETTE: At this location I was the security guard for three years. We have security Friday and Saturday evenings to make sure the noise is down and that the residents are safe as well.

CHAIR ANDREA JACKSON: You said that was for how many years?

BRIAN CLAVETTE: Almost three years.

CHAIR ANDREA JACKSON: Is this for the

two buildings?

BRIAN CLAVETTE: Correct. They are adjoined through the basement and also the back stairs which we use as our fire escape as well.

CHAIR ANDREA JACKSON: Is there always a security guard right there when you entered through 15, I believe it is?

BRIAN CLAVETTE: No. You enter through 11. And it is just Friday and Saturday.

CHAIR ANDREA JACKSON: Just Friday and Saturday?

BRIAN CLAVETTE: Correct. From 8 p.m. to 4 a.m.

CHAIR ANDREA JACKSON: All the paperwork is in order, Ms. Lint?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR ANDREA JACKSON: CORI is back?

EXECUTIVE DIRECTOR ELIZABETH LINT:

(Pause.)

CHAIR ANDREA JACKSON: While she's looking, any questions?

SUPERINTENDENT STEVE WILLIAMS: Do you have any other experience besides security? Do you have any experience as a resident manager anywhere else?

BRIAN CLAVETTE: No. I have been security off and on for ten years. I have undergone the crowd management training you all have been talking about tonight. I have worked at a few nightclubs as well.

CHAIR ANDREA JACKSON: Any questions?

CAPTAIN TOM CAHILL: No.

CHAIR ANDREA JACKSON: Are there any members of the public that wish to be heard in this matter?

Ms. Lint, you said you do not have a CORI?

EXECUTIVE DIRECTOR ELIZABETH LINT: I

don't have it.

CHAIR ANDREA JACKSON: Do you remember filling out a CORI report?

BRIAN CLAVETTE: No.

CHAIR ANDREA JACKSON: You did not fill one out?

BRIAN CLAVETTE: Nope. I have filled one out before. I also worked for the United States Postal Service, so I had a full Federal background check before. That was just temporary work though.

CHAIR ANDREA JACKSON: We'll need you to fill out a CORI form.

BRIAN CLAVETTE: Okay.

CHAIR ANDREA JACKSON: I make a motion that we approve Brian Clavette to be the resident manager contingent upon a clear CORI check coming back for New England School of English doing business as Riverside Hall at 11-15 Green Street.

SUPERINTENDENT STEVE WILLIAMS: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

SUPERINTENDENT STEVE WILLIAMS: Aye.

CAPTAIN TOM CAHILL: Aye.

CHAIR ANDREA JACKSON: You'll need to come to the office tomorrow to get a CORI form and make sure fill it out at the office and leave it and that way we have someone run it.

BRIAN CLAVETTE: Thank you very much.

CHAIR ANDREA JACKSON: Thank you.

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APPLICATION: MOTHER JUICE, INC.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application, Mother Juice, Inc., Ellen Fitzgerald, manager, has applied for a common victualler license to be exercised at 625 West Kendall Street.

Said license, if granted, would allow

food and nonalcoholic beverages to be sold,
served and consumed on said premises with a
seating capacity of 10.

The proposed hours of operation are 7
a.m. to 6 p.m. Monday through Saturday.

CHAIR ANDREA JACKSON: Good evening.

ELLEN FITZGERALD: Good evening. My name
is Ellen Fitzgerald, E-L-L-E-N
F-I-T-Z-G-E-R-A-L-D.

CHAIR ANDREA JACKSON: We were just
laughing, we have an Ellen Fitzgerald in our
office.

(Laughter.)

ELLEN FITZGERALD: You can't blame me for
a conflict of interest.

CHAIR ANDREA JACKSON: So if you can tell
us about Mother Juice.

ELLEN FITZGERALD: Yeah. So I started
Mother Juice was a food truck in the City of

Boston.

We launched in April of 2013, wanted to move into a brick and mortar space, and it's, we sell all plant-based, we do fresh pressed juices and we do smoothies and we'll have salads, on-the-go fare, we'll have ten seats in the restaurant, three tables, and a window counter with four stools. Yeah. And that's Mother Juice I'm also the owner of the company.

CHAIR ANDREA JACKSON: Will there be anyone else working there with you?

ELLEN FITZGERALD: Yes. I have a four other employees. Two of which worked on the food trucks that are familiar with the operations.

CHAIR ANDREA JACKSON: Will you still keep the food trucks?

ELLEN FITZGERALD: Not at the moment. We'll probably get it back on the street once we have the restaurant up and running.

CHAIR ANDREA JACKSON: Have you run a restaurant before?

ELLEN FITZGERALD: I have not.

CHAIR ANDREA JACKSON: What will you do in terms of delivery or do you expect delivery? How will you --

ELLEN FITZGERALD: We may do office deliveries in the area but just in the Kendall Square area.

CHAIR ANDREA JACKSON: I mean food delivery to your location.

ELLEN FITZGERALD: Oh, I'm sorry. We are actually going to pick up from the Chelsea Produce Market and then we'll have -- we'll also pick up from farmers' markets and wholesale from local farms. Yeah, that's what we did for the truck.

CHAIR ANDREA JACKSON: What about trash disposal?

ELLEN FITZGERALD: The building that we are in 675 West Kendall, and they have disposal on-site. I think it is Mass Hauling is the company they work with. But they have a -- there's a dumpster we can use there.

CHAIR ANDREA JACKSON: And your proposed hour of operations 7 a.m. to 6 p.m. Monday through Saturday?

ELLEN FITZGERALD: Monday through Saturday, yep.

CHAIR ANDREA JACKSON: Do you expect a lot of foot traffic through that area?

ELLEN FITZGERALD: Hopefully, but yes, I think -- I, you know, have been in the area, I think it is very busy at lunch time. It is quiet at night but --

CHAIR ANDREA JACKSON: Any questions?

SUPERINTENDENT STEVE WILLIAMS: No.

CHAIR ANDREA JACKSON: Any questions?

CAPTAIN TOM CAHILL: No.

CHAIR ANDREA JACKSON: Are there any members of the public that wish to be heard on this matter?

Seeing none, I make a motion that we approve the CV license to be exercised at 625 West Kendall Street for Mother Juice, Inc. with the proposed hours of operation and seating capacity of 10. Is there a second?

CAPTAIN TOM CAHILL: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

SUPERINTENDENT STEVE WILLIAMS: Aye.

CAPTAIN TOM CAHILL: Aye.

CHAIR ANDREA JACKSON: You are all set.

ELLEN FITZGERALD: Thank you.

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RECONSIDERATION: MEDALLION 250

EXECUTIVE DIRECTOR ELIZABETH LINT:

Reconsideration: The Board of Commissioners received a request to reconsider the vote of June 17, 2014 to revoke medallion 250.

Just by way of information as to what transpired in between, I had received a phone call from Mr. Elas, who was an advocate for Mr. Moise, I then emailed all Commissioners to see what their feelings were in terms of letting Mr. Moise get 250 back on the road where it is one of our accessible medallions, and Commissioner Haas felt that that would be appropriate so long as there was some type of plan put in place.

They did submit a plan to me, I sent it around to everybody, and I don't know if you got it.

CHAIR ANDREA JACKSON: I was going to say, can you tell us what the plan is, so that way we can have it on the record?

EXECUTIVE DIRECTOR ELIZABETH LINT: Do

you --

CHAIR ANDREA JACKSON: First off, can you please introduce yourselves, tell us your name, first and last name, and spell each for the record.

JEAN MOISE: Okay, my name is Jean Moise. M-O-I-S-E J-E-A-N. And last M-O-I-S-E.

ANTOINE ELAS: My name is Antoine Elas, A-N-T-O-I-N-E. E-L-A-S is last name.

CHAIR ANDREA JACKSON: Ms. Lint, who actually holds the 250, whose name is it in?

EXECUTIVE DIRECTOR ELIZABETH LINT: It's his.

CHAIR ANDREA JACKSON: So if you can please tell us what the plan is.

JEAN MOISE: The plan is try to find quickly a driver to put in the kind of work. I can't work 24/7. I have to get somebody to work. These days, it's tough to find somebody. It has

been tough to find somebody to work with me.

That's plan, to find, to get somebody as soon as possible.

CHAIR ANDREA JACKSON: So is that what happened before, is that you were not available because --

JEAN MOISE: Yeah, because -- I did get a driver. He didn't stay that long. Most of the time he get in accident, he just move so quick. You can't stop it. That's the way to do it all the time. I keep looking.

CHAIR ANDREA JACKSON: I'm still not convinced, I don't know if I'm missing it, I'm still not convinced by granting the medallion back that the 250 will be back on the road and available 24 hours a day.

ANTOINE ELAS: If I may? As Mr. Moise indicated, was regards to the medallion at 24 hours a day, our sense in reinstatement, he has

made some initiatives to find drivers such as placing ads, and asking local drivers if they would like to assume the position. And he also plans on going to the Ambassador service to also inform them of availability for a driver.

CHAIR ANDREA JACKSON: Okay.

EXECUTIVE DIRECTOR ELIZABETH LINT: Madam Chair, I advised him to speak with Officer Szeto as there was a class in last week and perhaps they would be able to find somebody through the class.

CHAIR ANDREA JACKSON: Was he able to speak with Officer Szeto?

JEAN MOISE: Yeah, I go to the class before to get to somebody before they get to the road.

CHAIR ANDREA JACKSON: Do you have any questions?

SUPERINTENDENT STEVE WILLIAMS: No.

CHAIR ANDREA JACKSON: Any questions?

CAPTAIN TOM CAHILL: No.

CHAIR ANDREA JACKSON: Are there any members of the public that wish to be heard on this matter?

Seeing none, Officer Szeto, do you have anything you would like to add?

OFFICER SZETO: No.

CHAIR ANDREA JACKSON: I guess the matter before us is whether or not we want to reinstate this medallion.

So I'll make a motion that we reinstate the medallion 250. You will have three months to find drivers. We'll bring the matter back before us in three months. So you have three months to try to find someone to help you. But it needs to be on the road. Is there a second?

SUPERINTENDENT STEVE WILLIAMS: I second.

CHAIR ANDREA JACKSON: All those in favor

signify by saying aye.

CAPTAIN TOM CAHILL: Aye.

ANTOINE ELAS: If I may, one additional question, I know he has been given three months, if all the necessary work is done work to secure a driver and he's unable to find one at that time, or if in the interim, within the three months of time, he has found another driver and subsequently the driver quit, for one reason or not, what then --- where do we go from here?

CHAIR ANDREA JACKSON: We'll cross that bridge in three months.

ANTOINE ELAS: Yes.

EXECUTIVE DIRECTOR ELIZABETH LINT: It's a big dilemma. Not only do we want the accessible vehicle on the road, we don't want him to lose his investment either.

CHAIR ANDREA JACKSON: Right.
Absolutely.

EXECUTIVE DIRECTOR ELIZABETH LINT: But we do know the issues with a lot of drivers.

CHAIR ANDREA JACKSON: You got to make the effort to try and find them.

JEAN MOISE: It is tough to find. It is not that easy especially these days.

CHAIR ANDREA JACKSON: I understand. If we start off with three months and see how it goes, and then if need be, you come on back and we'll figure it out then.

ANTOINE ELAS: In three months we have to be back here?

EXECUTIVE DIRECTOR ELIZABETH LINT: We'll send notice.

CHAIR ANDREA JACKSON: We'll send notice.

EXECUTIVE DIRECTOR ELIZABETH LINT: And say in touch. That's important.

JEAN MOISE: I will.

CHAIR ANDREA JACKSON: Ok, you are all

set. Thank you.

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REVOCATION: F&D RESTAURANT

EXECUTIVE DIRECTOR ELIZABETH LINT:

Revocation: Matter continued from March 27, 2014, F&D Restaurant Corp., d/b/a as Campus/Manray, Donald Holland, manager, holder of an all alcoholic beverages restaurant license and 21 Brookline Street and pending a change of location address, 541-565 Massachusetts Avenue, pursuant to Mass. General Laws Chapter 138, Section 77.

The licensing may, after hearing or reasonable opportunity therefore, cancel any license issued under this chapter if the licensee ceases to conduct the licensed business.

CHAIR ANDREA JACKSON: Good evening.

ATTY. JAMES RAFFERTY: Good evening.

CHAIR ANDREA JACKSON: Can you --

ATTY. JAMES RAFFERTY: James Rafferty on behalf of the licensee and seated to my left is Donald Holland, president of F&D Restaurant Corp., and the manager of record and longstanding principal of the Campus Manray nightclub.

I know the Commission is very familiar with the status of this license.

When we were last here the Police Commissioner inquired as to why Mr. Holland had not yet listed the license for sale and I indicated at that time that he was still pursuing a transfer of the license with the belief that he would be able to find a location and open a new establishment.

After that meeting, Mr. Holland changed his objective and has come to accept the fact that there just does not appear to be an opportunity for him to utilize his license.

He has been trying for years and has been

unsuccessful, so he has -- shortly thereafter he listed the license. The license is listed for sale with Atlantic Restaurant Group.

He has -- the asking price is \$225,000. They have sent out flyers and mailers, but as of this evening, we have not received, nor, obviously, accepted an offer.

I understand with the status at the moment, we are asking if the board would entertain an additional period of time to see if a buyer could be located.

The second half of the license has been paid, and this would be represent the final opportunity for Mr. Holland to recoup something. But it is no longer Mr. Holland's effort -- or intention to try to relocate the license.

That effort have proven to be unsuccessful, and shortly after the last hearing, I think he came to the realization that time had

long since run out, so we find ourselves here with the license for sale this evening actively being marketed by Mr. Newcomb of Atlantic License Brokers.

I've heard of one interested party at a number considerably less than this, but obviously, as time winds down, there may have to be some change in expectation if the Commission were to allow Mr. Holland a limited period of time to see if he could sell the license.

CAPTAIN TOM CAHILL: I was in the audience that evening but my recollection is this was a drop-dead date. I don't know what proposals you have that could convince the Chair considering an extension.

ATTY. JAMES RAFFERTY: The difference being that when we were here last, the license was not actively for sale. In fact, we reported on an offer.

At that time Mr. Holland made an offer for another an establishment in Central Square and was still thinking that he could find a location, so I'm well aware of the history and the prior findings, and I respect the Board's decision, but we find ourselves at the moment with no other alternative and asking for some final consideration to seek an opportunity for sale.

I would respectfully suggest, as lengthy a period of time that this license has been inactive, because of the Commission's ability to issue other licenses and were not constrained by caps, or quota, that other licensees of the public are not being harmed if a brief continuance for sale only were to be permitted.

CAPTAIN TOM CAHILL: What is your definition of "brief"?

ATTY. JAMES RAFFERTY: Well, from where

we sit, I think, you know, we -- I had suggested that the renewal affidavit is due in November, it's mid-August, if we could have 60 days, I think we would agree that we -- I'd made a statement in an earlier hearing that if we were permitted to November 30 there would be no further requests.

We were given to this date, and I understand that even in making this request it may appear that we're being -- we are not being respectful of the Commission's decision. I want to assure you nothing could be further from the truth. This is a concerted effort. He's selling an asset. People know he's under the gun to sell it.

I suspect August is a tough time to do this, but I suspect that he will find a buyer at a number less than the listed price if he were allowed an additional final 60 days.

CAPTAIN TOM CAHILL: 60 days from today
or --

ATTY. JAMES RAFFERTY: Today.

CHAIR ANDREA JACKSON: It's so quiet.

SUPERINTENDENT STEVE WILLIAMS: When was
it listed?

ATTY. JAMES RAFFERTY: When did you list
it with the restaurant broker?

DONALD HOLLAND: About a week ago.

CHAIR ANDREA JACKSON: And you were here
at what date before and it was just listed a week
ago?

ATTY. JAMES RAFFERTY: Were we here in
June, June 11?

EXECUTIVE DIRECTOR ELIZABETH LINT:
That's right.

ATTY. JAMES RAFFERTY: That is the date
on the letter.

CHAIR ANDREA JACKSON: So I've already

made my position, I think, clear at the last hearing, and I know I was the lone vote that just voted to revoke the license.

I'd really say it is the pleasure of my colleagues whether or not you -- I'll let someone else make a motion. I know what my feeling is. I think we have extended the time.

I think when the continuance was given back in June, it was because there was this purported offer to sell it then.

ATTY. JAMES RAFFERTY: Excuse me, in June, we had placed an offer, and I provided Ms. Lint with a copy, but we had placed an offer to purchase another license.

CAPTAIN TOM CAHILL: I think that you stated that the decision was made shortly thereafter the last meeting, but it seems like you waited until the final hour to list this.

DONALD HOLLAND: Excuse me, can I talk?

ATTY. JAMES RAFFERTY: Yeah.

DONALD HOLLAND: I have been up and down from one end of the city to the other trying to make deals with people and, you know, so many places, right, that want to accept me and then they told me you can't have dancing and you can't have dancing by patrons, and a few other things. Every place is zoned out. It is almost impossible. I mean, from Fresh Pond next to the mall there, next to the -- where the Chinese restaurant used to be. From all the way down to -- all along Cambridge Street where the forms (phonetic) going there in the corner of Cambridge and Columbia, I guess they go into that whole corner, I mean, just every place I go, you know.

CAPTAIN TOM CAHILL: Has this ever been listed before?

DONALD HOLLAND: No.

CAPTAIN TOM CAHILL: Do I make a motion

or --

CHAIR ANDREA JACKSON: My thoughts are split. They are split between staying with my original decision of revoke it, or I know that the Commissioner had a very strong opinion about it, and waiting until he's back to see if his opinion has changed. He's not here next week, is that correct?

SUPERINTENDENT STEVE WILLIAMS: That's correct.

CHAIR ANDREA JACKSON: When is our next hearing in September?

EXECUTIVE DIRECTOR ELIZABETH LINT: The 9th.

ATTY JAMES RAFFERTY: Madam Chair, do you think it is the type issue that lends itself more to a Decision Hearing than a Tuesday evening hearing?

EXECUTIVE DIRECTOR ELIZABETH LINT: The

Commissioner won't be here.

CHAIR ANDREA JACKSON: That is the only reason why I wouldn't do it at the Decision hearing. I mean I could do a special Decision Hearing at 5:30.

ATTY. JAMES RAFFERTY: Like November 27th at 5:30?

CHAIR ANDREA JACKSON: No. September 9th. Before I get there, are there any members the public that wish to be heard on this matter?

Sure. Again, if you can please state your name.

MARC LEVY: Marc, M-A-R-C, Levy, L-E-V-Y. I will just speak as a resident. I always felt that Mr. Holland was sincere in his efforts to find a new home, and I don't believe that the city was harmed by his license being out even for eight years. So I would err on the side of leniency, I guess.

CHAIR ANDREA JACKSON: Thank you.

Again, if you could please identify yourself, although I know who you are.

MR. VALENTINE: Peter Valentine, 37 Brookline Street.

He's been a successful businessman for many years. He's paid the city a fair amount of taxes. He paid the license fee regularly. If he was a novice and this was going on, cancel the license. Nothing is gonna be wrong if he's given 60 days. The world is not gonna come an end. That's all I've got to say.

CHAIR ANDREA JACKSON: Go for it.

CAPTAIN TOM CAHILL: I'll make a motion that in lieu the fact that it is actively being listed, that rather than the 60 days, you will have 30 days, and at the end the 30 days, if there's not an accepted offer, then the license be revoked.

CHAIR ANDREA JACKSON: Ms. Lint, 30 days from today is -- when is our next hearing, next closest hearing to 30 days? When is our Decision Hearing for September?

EXECUTIVE DIRECTOR ELIZABETH LINT: I'm looking. So the next is October 9.

CHAIR ANDREA JACKSON: If I make a friendly amendment we can continue it until October 9th, that's our Decision Making Hearing since we don't have one in September. That effectively gives you the 30 days and a wee bit more, is that acceptable?

CAPTAIN TOM CAHILL: Yes.

CHAIR ANDREA JACKSON: Is there a second?

CAPTAIN TOM CAHILL: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

SUPERINTENDENT STEVE WILLIAMS: Aye.

CAPTAIN TOM CAHILL: Aye.

CHAIR ANDREA JACKSON: You have until
October 9th.

EXECUTIVE DIRECTOR ELIZABETH LINT: Last
but not least.

- - -

APPEAL: NONRENEWAL OF HACKNEY LICENSE

EXECUTIVE DIRECTOR ELIZABETH LINT:
Tarlochan Kalkat, holder of Hackney license No.
28634, due to nonrenewal of his Hackney license.

DILPREET KALKAT: I'm his daughter.

Can I translate?

He understands English but --

CHAIR ANDREA JACKSON: Before you start,
come to the table, I'll need you to please
identify yourself for the record stating your
first name and your last name. I'll need him to
state his first name and last name and then you
can explain your relationship to him.

DILPREET KALKAT: My name is Dilpreet

Kalkat spelled D-I-L-P-R-E-E-T K-A-L-K-A-T.

TARLOCHAN KALKAT: My name is
T-A-R-L-O-C-H-A-N. Last name K-A-L-K-A-T.

DILPREET KALKAT: I'm his daughter. I'm
translating words for him. He understand English
but doesn't understand it fully.

CHAIR ANDREA JACKSON: Okay. So we are
here this evening -- and perhaps I'll have
Officer Szeto come to the front as well, please.

Office Szeto, can you tell me when Mr.
Kalkat first had his Hackney license?

OFFICER SZETO: August 21, 2003.

CHAIR ANDREA JACKSON: When did it expire
most recently?

OFFICER SZETO: August 21, 2014.

CHAIR ANDREA JACKSON: And when he came
in, did he come in to have his license renewed?

OFFICER SZETO: Yes. He filled out a
renewal form and I do the background check on it.

And after doing the background check, I found some stuff on his criminal record out of Somerville District Court. It was for assault and battery, and also indecent assault and battery. Assault and battery, if I can read this, he got probation, was found guilty. And indecent assault and battery, there was a CWOFF, continued without a finding, so based on that, I denied him renewal for his Hackney license.

CHAIR ANDREA JACKSON: You said that he was on probation. Was that probation up until -- when does his probation end?

OFFICER SZETO: February 20, 2014. I believe that's what it says right here.

CHAIR ANDREA JACKSON: It says he came in for an appeal hearing, is that correct, with a member of the staff?

OFFICER SZETO: Yes, correct. He appealed my decision.

CHAIR ANDREA JACKSON: And then if I remember correctly, from looking at the decision, the hearing was held in office, subsequent information was received, such as police reports, conversation with the police department, and as a result of that, then your decision was upheld, is that correct?

OFFICER SZETO: Yes, correct.

CHAIR ANDREA JACKSON: So what is it that you would like to tell us this evening that's any different from the information that has been provided to both Officer Szeto and to the hearing officer?

(Daughter translates)

DILPREET KALKAT: Okay, he's just saying that because he's the head of the household, this is his only -- like other than my mother's income, this is our only source of income. And the probation was -- he was on probation for a

year, but it was -- they said we can come and pick up our clearance papers, which he still hasn't picked up.

CHAIR ANDREA JACKSON: Picked up what?
I'm sorry?

DILPREET KALKAT: The court had said once his probation is over, to come to Somerville District Court and pick up the papers saying that his probation is over and everything and he doesn't have to go into like -- because we live in North Andover, we are residents of North Andover. So we would basically have to -- if he was during the probation, if they still found him, like he's mentally like, or as sex offender, he would have to register as a sex offender but they didn't find him guilty of that.

CHAIR ANDREA JACKSON: The nature of the offense is serious, and understand that he served his probation, but the nature of the offense is

serious enough that Officer Szeto and staff found that it is just not possible to reissue his Hackney license.

DILPREET KALKAT: And he is saying it is difficult to find drivers as well because my mother is the cab owner, so it is basically within the family.

CHAIR ANDREA JACKSON: So let me be about as frank and honest as I can be, I'm intentionally choosing not going to go into details of the offense out of respect to you. Not to him, to you, as his daughter. And I can continued this matter and provide an interpreter of our choice who can interpret for him the seriousness of the events, and again, I'm trying to be respectful to you, it is completely up to my colleagues; otherwise, my decision is to go ahead and make the motion that his license will not be renewed. But if he wants a full

opportunity to be heard, I can go ahead and we can reschedule this. He will not be able to drive. And I can go ahead and get an interpreter so he's clear in understanding why.

And again, it is completely your choice, if you choose to hear the details of the offense, I don't know if you know about the details of the offense.

SUPERINTENDENT STEVE WILLIAMS: I also think it is important to understand that whether he's completed probation or not, does not have a play in this decision. It's totally separate. So it does not come into play in any decision that the Commission would make.

And, again, I can concur that this is something that is very serious. And I think we have -- the Commission has an obligation to take the proper course in making sure that those who drive the taxis in the city are fully qualified

and meet the criteria that we need, and right now, I can't see that.

(Daughter interprets.)

DILPREET KALKAT: I actually had another question. The day we came in for the hearing with Officer Szeto, I was there too, we were told that he can have his license for six months.

OFFICER SZETO: I believe --

CHAIR ANDREA JACKSON: Three months.

OFFICER SZETO: I believe three months.

DILPREET KALKAT: So why was it approved?

CHAIR ANDREA JACKSON: That was prior to the office obtaining the police report and getting a full picture of the offense and understanding that the information that was contained in the police report is not the same version that your father told. It is a very different version.

DILPREET KALKAT: Okay.

EXECUTIVE DIRECTOR ELIZABETH LINT: I would add that the rules and regulations of the Hackney division clearly state that if anyone is convicted of any type of felony offense, and we have a conviction on the assault and battery, so that would render him ineligible to operate.

SUPERINTENDENT STEVE WILLIAMS: Was it simple A and B?

OFFICER SZETO: It doesn't say. It just says --

EXECUTIVE DIRECTOR ELIZABETH LINT: It doesn't say.

SUPERINTENDENT STEVE WILLIAMS: That would be a misdemeanor.

EXECUTIVE DIRECTOR ELIZABETH LINT: We would -- any type of offense, drugs, alcohol, sexual assault --

CHAIR ANDREA JACKSON: My understanding is he pled down.

SUPERINTENDENT STEVE WILLIAMS: That's exactly right.

EXECUTIVE DIRECTOR ELIZABETH LINT: With the information that we have, he would not be qualified.

CHAIR ANDREA JACKSON: You are saying that --

SUPERINTENDENT STEVE WILLIAMS: That is a nonevent. This is the conviction. That's -- it is a misdemeanor. It doesn't change. It doesn't change.

EXECUTIVE DIRECTOR ELIZABETH LINT: So no criminal record within the past seven years for any the following: Conviction of a felony, involvement in an illegal lottery, violation of probation, sex offense, assault and battery or disobeying --

SUPERINTENDENT STEVE WILLIAMS: That's A and B, so that's correct.

CHAIR ANDREA JACKSON: Based on the information that I have before me, and the fact he did plead guilty, I make a motion that we uphold the decision to not renew his Hackney license. Is there a second?

SUPERINTENDENT STEVE WILLIAMS: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

SUPERINTENDENT STEVE WILLIAMS: Aye.

CAPTAIN TOM CAHILL: Aye.

CHAIR ANDREA JACKSON: So the decision has been made that he cannot drive.

DILPREET KALKAT: At all? Ever?

CHAIR ANDREA JACKSON: Not in the City of Cambridge with a Hackney license.

EXECUTIVE DIRECTOR ELIZABETH LINT: He does have appeal rights.

CHAIR ANDREA JACKSON: You do have appeal rights. What are his appeal rights?

EXECUTIVE DIRECTOR ELIZABETH LINT:

Superior Court.

CHAIR ANDREA JACKSON: You can appeal to Superior Court, but other than that, no, he cannot drive a Cambridge licensed taxi, okay.

Thank you.

I make a motion adjourn.

I'm sorry. I always do this. Sorry.

- - -

RATIFICATIONS:

EXECUTIVE DIRECTOR ELIZABETH LINT:

Ratifications refinance of 98, 146, sale and refinance of 224. Finance of 170, 139, 156, 226, 90, 241, stock transfer of 218 and finance of 218.

CHAIR ANDREA JACKSON: So can you tell me a little bit more about these refinances? I know they come in monthly.

EXECUTIVE DIRECTOR ELIZABETH LINT: It's

they are all watching the rates, so if they get a better rate than that, they they just refinance. That's a constant.

CHAIR ANDREA JACKSON: Any members of the public that wish to be heard?

Seeing none, is there a motion?

EXECUTIVE DIRECTOR ELIZABETH LINT:
Motion to accept.

CHAIR ANDREA JACKSON: I make a motion to accept the ratification of the various medallion numbers read as by the Executive Director. Is there a second?

SUPERINTENDENT STEVE WILLIAMS: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

SUPERINTENDENT STEVE WILLIAMS: Aye.

CAPTAIN TOM CAHILL: Aye.

CHAIR ANDREA JACKSON: I make a motion that we adjourn. Is there a second?

SUPERINTENDENT STEVE WILLIAMS: Second.

CHAIR ANDREA JACKSON: All those in favor
signify by saying aye.

SUPERINTENDENT STEVE WILLIAMS: Aye.

CAPTAIN TOM CAHILL: Aye.

CHAIR ANDREA JACKSON: All done.

(The proceedings were adjourned)

ERRATA SHEET

INSTRUCTIONS: After reading the transcript, note any change or correction and the reason therefor on this sheet. Sign and date this errata sheet.

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I have read the foregoing transcript, and except for any corrections or changes noted above, I hereby subscribe to the transcript as an accurate record of the statement(s) made by me.

CERTIFICATION

Commonwealth of Massachusetts
Norfolk, ss.

I, Jill Kourafas, Certified Shorthand Reporter, in and for the Commonwealth of Massachusetts, do hereby certify that the hearing herein before set forth is a true and accurate record of the proceedings with the exception that some statements may not appear due to heavy accents, unclear speaking, rapid and overlapping speaking, private conversations, those speaking too softly or incoherently, not identifying themselves and proper names/places will be spelled phonetically if not spelled while on the record.

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Jill Kourafas
Certified Shorthand Reporter - License No. 14903

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